Scottish Studies

Volume 25 : 1981

UNIVERSITY OF EDINBURGH

Scottish Studies

The Journal of the School of Scottish Studies
University of Edinburgh

25

1981

SCHOOL OF SCOTTISH STUDIES
UNIVERSITY OF EDINBURGH

PRINTED IN GREAT BRITAIN
AT ABERDEEN UNIVERSITY PRESS

Scottish Studies

VOLUME 25

Contributors to this Volume

G. W. S. BARROW MA DLITT BLITT
Professor of Scottish History, University of Edinburgh

EDWARD J. COWAN MA
Professor of History, University of Guelph, Ontario, Canada

JOHN A. LOVE BSC
Scientific Officer, Nature Conservancy Council, Isle of Rum

W. D. LAMONT MA DPHIL DLITT
37 Kirklea Road, Glasgow

LINNARD MA PH D
Documentation Department, Welsh Folk Museum, St Fagans, Cardiff

E. R. CREGEEN MA
Reader, School of Scottish Studies, University of Edinburgh

IAN A. FRASER MA
Lecturer, School of Scottish Studies, University of Edinburgh

PETER R. COOKE MA
Senior Lecturer, School of Scottish Studies, University of Edinburgh

Popular Courts in Early Medieval Scotland: Some Suggested Place-Name Evidence

G. W. S. BARROW

In his *Lectures on Scotch Legal Antiquities* Cosmo Innes put a question to which he did not profess to find an answer:

> Was there in old Scotland anything equivalent to the County Court, or the Court of the Hundred or Tithing, those foundations of the English Constitution, those local gatherings where neighbours took counsel about local affairs and settled differences? I cannot tell. I think there are indications of such assemblies. But it is too much the fashion to draw a marked line of distinction between the Celtic and Teutonic peoples and their customs. Until I see evidence to the contrary, I will believe that the Celtic institutions—always except their longer attachment to a patriarchal form of society—resembled those of the other northern nations, though they have left no code or chronicle, nothing but the circle of grey stones on the heath to record their national customs, their manner and form of proceeding (Innes 1872: 97–8).

In his footnote to this passage, Innes speculates on the possible juridical function of stone circles in addition to their use for burial and other religious rites. It may be added that he was here (as elsewhere) more indebted than he always acknowledged to the learned Joseph Robertson (1839: 338–9 and nn.).

Unfortunately, Innes did not say what he considered to be 'indications of such assemblies', unless (to judge from his footnoted speculation) he meant the abundant survival, especially in his own beloved north-eastern Scotland, of stone circles, and the occasional record of courts meeting at stone circles. Innes, of course, was lecturing before the neolithic and Bronze Age date of what in his day were still commonly called 'Druids' Circles' had been fully established. It was still possible for him to associate stone circles with the Celtic-speaking natives of Scotland even as late as the Dark Ages. Nevertheless, although we can discount Cosmo Innes's speculations about the 'circle of grey stones on the heath', we must allow that his original question was important and that, more than a century later, it has not yet been answered. Moreover, as we shall see, even the stone circles refuse to be excluded from the discussion, although their role may have been rather more accidental than Innes suggested.

As far as the English county court is concerned, the Scottish equivalent, the court of the sheriffdom (later 'sheriff court'), certainly existed by *c.*1200 (*RRS* II: 42–3), and

can safely be assumed to have had its origins not later than about the middle of the twelfth century. There was evidently a close link between the sheriffdom court and the court held by the king's justiciar (*RRS* II: 42, 46–7). Indications of continuity between the period before record (*i.e.* before *c.*1100) and the fully-developed medieval system of the thirteenth century may be seen in the association of the 'archaic' dempster (*judex*) with both justiciary courts and sheriffdom courts (*Fife Court Bk.* 1928: lxvi–xix; Barrow 1973: 70–4), in the habit of attaching dempsters to ancient provinces rather than to the newfangled sheriffdoms (Barrow 1973: 74–80), and in the surviving record of a royal provincial court of Fife and Fothrif, *c.*1128, attended by three *judices* including the 'great *judex* of Scotia', and in a session of the 'full court of Fife and Fothrif' presided over by the king's justiciar in 1266 (Lawrie 1905: no. 80; *Laing Chrs.* 1899: no. 8, p. 2).

Neither justiciary nor sheriffdom court can be regarded as 'popular' in the ordinary sense of the word, although the medieval mind would not have drawn any distinction between courts which we should classify as 'royal' and those which we should classify as 'popular'. In the medieval view all legitimate secular courts derived their authority from the crown, functioned for the benefit and correction of the people, and enforced, at however lowly a level, the common law of the land. (For example, *Coupar Angus Chrs.*, no. 35, i, p. 80, dating *c.*1223–30, shows the court held by Fergus brother of Earl Robert of Strathearn as lord of Our [Meikleour and Little Our, Perthshire], dispensing justice 'according to the laws of the land'. This agreement concerned the inhabitants of a single oxgang of land in Our). Burgh courts and lords' courts (predecessors of the 'baron courts' familiar from the fifteenth to the eighteenth century) would have been regarded in the same way, even though the modern socio-legal historian might be disposed to see the former evolving from the 'king's court in the burgh' into a genuinely 'popular' court, and the latter giving expression to the far-reaching power which a typical baron or laird could freely exercise over his own vassals or tenants.

When we come to search for the antecedents of sheriff courts, burgh courts and lords' courts in Scotland before *c.*1150 we are severely hampered by the jejune nature of surviving documentary evidence. There are undoubtedly archaic or conservative features in the record of the period from the twelfth to the fifteenth and even sixteenth century which taken together point unmistakably to the existence of a well-established juridical system before the reign of David I. Besides the archaic character of the network of dempsters or *judices*, already mentioned (Barrow 1973: 69–82), we may cite the comparable survival of mairs (*Fife Court Bk.* lxii–lxvi) and the system of indemnification typified by the well-known 'letters of slains',[1] where 'slains' evidently represents Old Irish *slánachus*, and the survival in east Fife as late as 1431, of 'ranscauth', evidently from the Gaelic verb *rannsaich*, 'scrutinize', 'investigate', as part of a bundle of jurisdictional powers also including capital punishment, search and imprisonment (*RMS* II, no. 187, confirming an original grant by the earl of Fife dating between 1380 and 1396).

A further instance of survival which does not seem to have attracted much attention from legal historians[2] is to be found in an agreement of 4 April 1329 between Geoffrey abbot of Arbroath and Fergus son of Duncan (*Arbroath Liber* II, no. 2) which may be summarized as follows:

> Agreement, dated Tuesday the feast of Saint Ambrose the bishop (4 April), 1329, between Abbot Geoffrey and the convent of Arbroath on the one hand and, on the other hand, Fergus son of Duncan, whereby the abbot and convent set at ferme to Fergus and one heir male of his body their whole land of Tolauch (Tulloes) and Crauchy (Craichie) on the south side of the water of Uveni (Vinny), except for Craichie Mill (in Dunnichen parish, Angus).
>
> Fergus may introduce into the land to cultivate it both liege men of the abbot and also other simpler men (*alios homines simpliciores*, meaning perhaps men with few or no tenurial ties, or merely lowlier men), the abbot's liege men being able to be recalled by the abbot as and when required to cultivate and inhabit his other lands.
>
> Fergus and his heir shall attend the abbot's court three times a year, and oftener if necessary, and are not to be subject to amercement heavier than five shillings, save in case of regality pleas.
>
> But the men dwelling under him shall pay for their fines (*ammerciamentis*) as the other husbandmen of the abbot; and the men dwelling in the said land shall be bound, whenever the lord abbot or his bailies shall hold their court anent dittays (*inditamentis*) and disputes pertaining to the crown or other serious cases which require great assistance, to come to the abbot's court to re-inforce it, if reasonably forewarned.
>
> The aforesaid Fergus and his heir shall have the court which is called Couthal for the men residing within the said land, to deal with the countless acts arising amongst themselves only, and they shall have the fines arising therefrom.

Here the word 'Couthal' (which the Bannatyne Club editor printed in italic but did not attempt to elucidate, though he indexed it among place-names) seems to stand for the Gaelic word *Comhdhail* (Old Irish, *comdāl*), feminine, meaning 'assembly', 'meeting', 'conference' or 'tryst'. By itself the word would not necessarily indicate a court of law, but in this fourteenth-century document it is evidently so used. Moreover it is used in such a casual manner as to suggest that in Angus at least it was a well-known term applied to a species of birlie or burlaw court, so humble indeed that Abbot Geoffrey speaks somewhat contempuously of its dealing with the 'innumerosis actibus inter semetipsos tantummodo contingentibus' (*Arbroath Liber* II, p. 3).

The use of the term 'couthal' prompts us to ask whether it can be connected with a class of place-names to be found widely distributed from Sutherland to Lanarkshire and Peebles-shire. The class involves names which usually appear in modern spelling as Cuthel, Cuthill or Quithel. Dr William Alexander, in his Third Spalding Club volume on *The Place-Names of Aberdeenshire*, deals with the class thus: 'Quithel is a north-eastern form of the numerous group of names, Cuttle, Cuthill, Cuttie, Kettle, etc., all of which refer to a place where corn was carried from lower to higher ground and set up there for drying. *That is, following Jamieson's interpretation'* (*Aberd. P. N.*: 106 [my italics]; see also 249–50). The last sentence refers us to J. Jamieson's

Dictionary of the Scottish Language[3] *s.vv.* 'cutle', 'cuthil', where the word (apparently a verb as well as a noun) is said to be used in Perthshire and West Lothian with the sense indicated. Oddly enough, Alexander's main treatment of the name refers to '(the) Quithel' in Old Deer, the fairly low-lying locality of which, close to the Cistercian abbey, hardly suits the meaning suggested. It is undeniable that a high proportion of names embodying this element show it in association with 'hill', 'brae' or 'head'. Nevertheless, while not denying the existence of a Scots word with the meaning given to it by Jamieson, it is hard to accept Alexander's interpretation as far as place-names are concerned. The agricultural operation involved must surely have been both small-scale and universal. We would therefore expect it either not to have given rise to permanent place-names at all or to have left far more numerous traces of its presence than we seem to have evidence for. Moreover, it is scarcely possible for a dialect word meaning 'to gather corn together for drying' to have persisted as a place-name in eastern Sutherland, Angus, Perthshire and Fife from the twelfth and thirteenth centuries, often becoming attached to farms or crofts.

The *Dictionary of the Older Scottish Tongue, s.v.* 'cuthill', ignores Jamieson; its laconic entry is 'grove, small wood (of obscure origin)'. Its examples are drawn partly from place-names and partly from Andrew Wyntoun's *Original Chronicle* and Gavin Douglas's translation of the *AEneid*. Wyntoun's brief passage on Saint Benedict of Nursia seems to be derived from Gregory the Great's *Life of Benedict*. Wyntoun says that Benedict cut down the 'kwthlys' (*var.* 'kuthillis', 'kuchlis', 'cuthills') which peasants were accustomed to use to venerate their idols.[4] The word was evidently meant to translate *lucos*, 'groves', in the passage in which Saint Gregory tells of Benedict's coming to Monte Cassino:

> Illuc itaque vir Dei perveniens, contrivit idolum, subvertit aram, succendit [var. succidit] lucos.[5]

A grove is not quite the same thing as a 'small wood' but implies rather a clearing in a wood, or a sequestered place fringed by trees, apparently the original meaning of *lucus* also. This ambiguity is seen in Douglas's—and perhaps also in Virgil's—use of 'cuthyll (cuthill)', and 'lucus' respectively. In Book VIII, lines 270–1, Virgil has 'custos Pinaria sacri hanc aram luco statuit', which Douglas renders as: 'the cheif keparis of Hercules hallowyt hald yhon altar in this cuthyll did upbeild.'[6] In lines 598–9 of Book VIII, Douglas turns Virgil's 'undique colles inclusere caui et nigra nemus abiete cingunt' into 'ane thyk ayk wod of skowgy fyrris stowt belappis all the said cuthill abowt' (where 'cuthill' refers back to Virgil's *ingens lucus* in line 597).[7]

The place-name examples cited by *DOST* consist of nos. 2.21 and 2.29 in Appendix I below (both sixteenth century). While 2.29 may point to 'cuthill' being treated as equivalent of 'little wood', 2.21 does not seem unambiguous. Here we have 'the shaw and wood called Cuthill wood of Craigmakerran', and the 'Cuthel and wood of Craigmakerran', as though 'cuthel' and 'wood' were distinct entities,

although 'shaw', a small wood, might conceivably be a synonym. Perhaps in both cases the word 'grove' might give the sense of 'cuthel' better than 'wood'. A document of 1565 cited by *DOST* from the *Records of the Earldom of Orkney* lists 'bromes, woddis, cuthills, schawis, treis', suggesting that 'cuthill' was not an exact synonym of 'shaw'. 1.2. (not cited by *DOST*) also suggests a connection with 'wood'.

Nevertheless, the place-name material as a whole tells against any equation with 'wood' and perhaps does not even point to 'grove' as the primary sense. If we are dealing with a place-name element identical with the 'couthal' of the Arbroath document of 1329 then the primary meaning might be 'assembly' or 'meeting', hence 'place where people habitually assemble'. The Arbroath document, which is earlier by a century than any of the literary evidence, suggests that what they assembled for was the session of some court.

With this in mind, we may consider the material set out as an appendix to this paper. The names have been listed for convenience in two groups, not necessarily historically significant. Group 1 (nos. 1.1 to 1.27) contains place-names still appearing on the 1 in. 7th Series Ordnance Survey maps and/or on the metric 1/50,000 series. NG references can of course be given for all members of the group. Wherever forms are known from sources earlier than the Ordnance Survey itself, Alexander's *Place-Names of Aberdeenshire,* Watson's *Place-Names of Ross and Cromarty* and the *County Directory* (1867), these have been given with the date (precise or approximate) and the source. In every case the earliest form known to me has been given, together with (in some cases) one or more intermediate forms. In several cases topographical detail which might be relevant has been added. Group 2 (nos. 2.1. to 2.29) consists of place-names apparently, or possibly, belonging to the same class which do not appear on the 1 in. or 1/50,000 maps (though they may appear on larger-scale Ordnance Survey productions) but which can be found in some reliable source. Wherever possible these names have been assigned to a parish, and in some cases it has been possible to give at least an approximate NG reference. In the case of both groups the names are listed by pre-1975 county, running roughly from north to south. The resulting distribution is shown in Figure 1 (Group 1) and Figure 2 (Group 2).

It is important to bear two points in mind when considering the historical implications of the material. Firstly, it is by no means certain that every name listed provides an example of an element ('cuthill', 'cuthel', *etc.*) which may stand for the Gaelic word *comhdhail* (genitive, *comhdhalach*). While it seems likely that names surviving in 'cuthill', 'cuthel', 'cothal' and 'couthally' do indeed represent *comhdhail,* it is arguable that only some—or perhaps none—of the names in 'cuttle' or 'cuttie' do so. Here, however, we have to note no. 1.13 where the modern Cuttieshillock and Cutties' Wood seem to go back to a name Cuthill recorded in 1654. If this development has occurred in that particular instance there seems no obvious reason why it should not have occurred elsewhere. A few names, *e.g.* 1.9, 2.12 and,

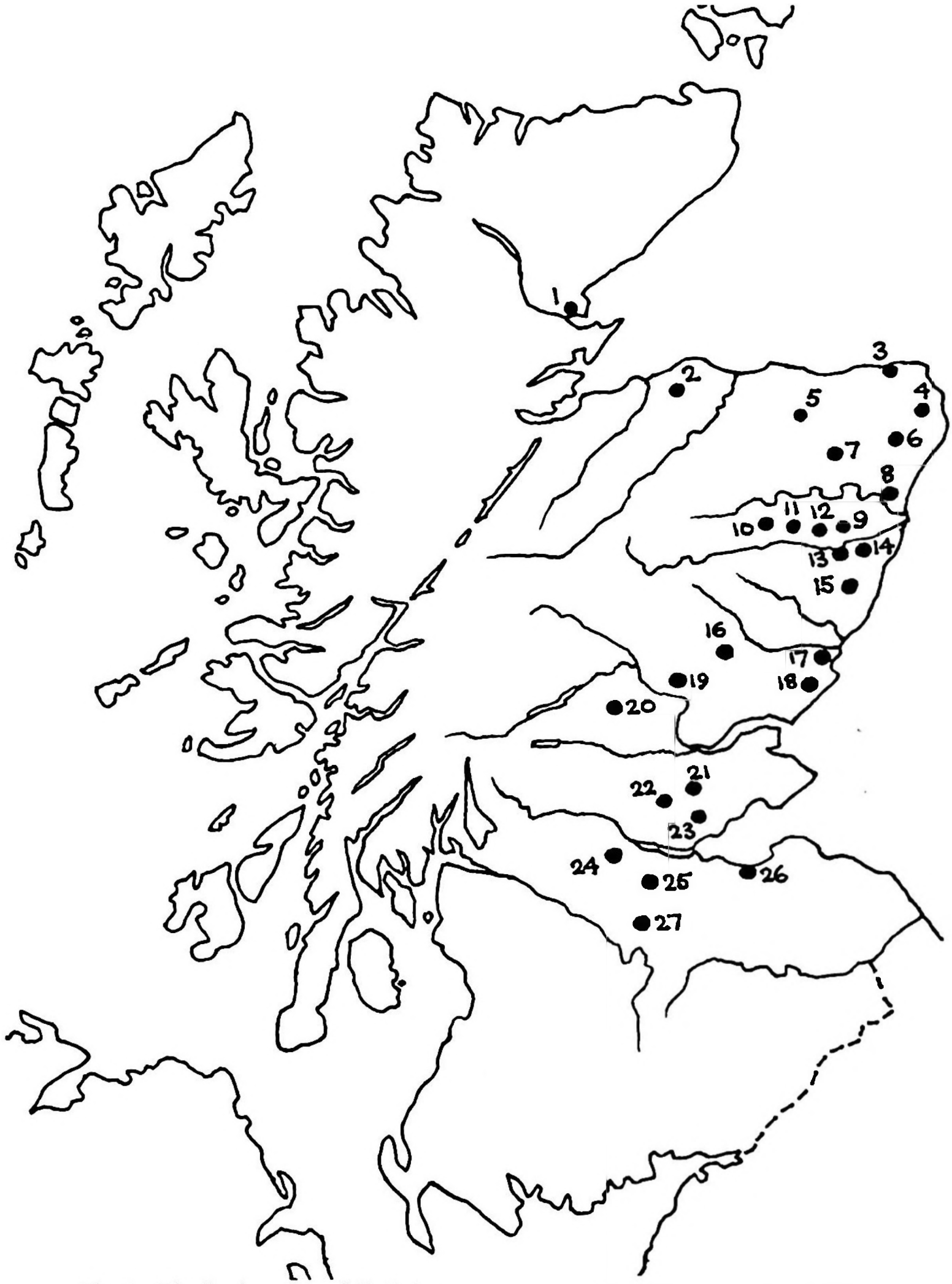


Fig. 1 Distribution of *comhdhail* place-names, group 1.1–1.27 (see pp. 5 and 12).

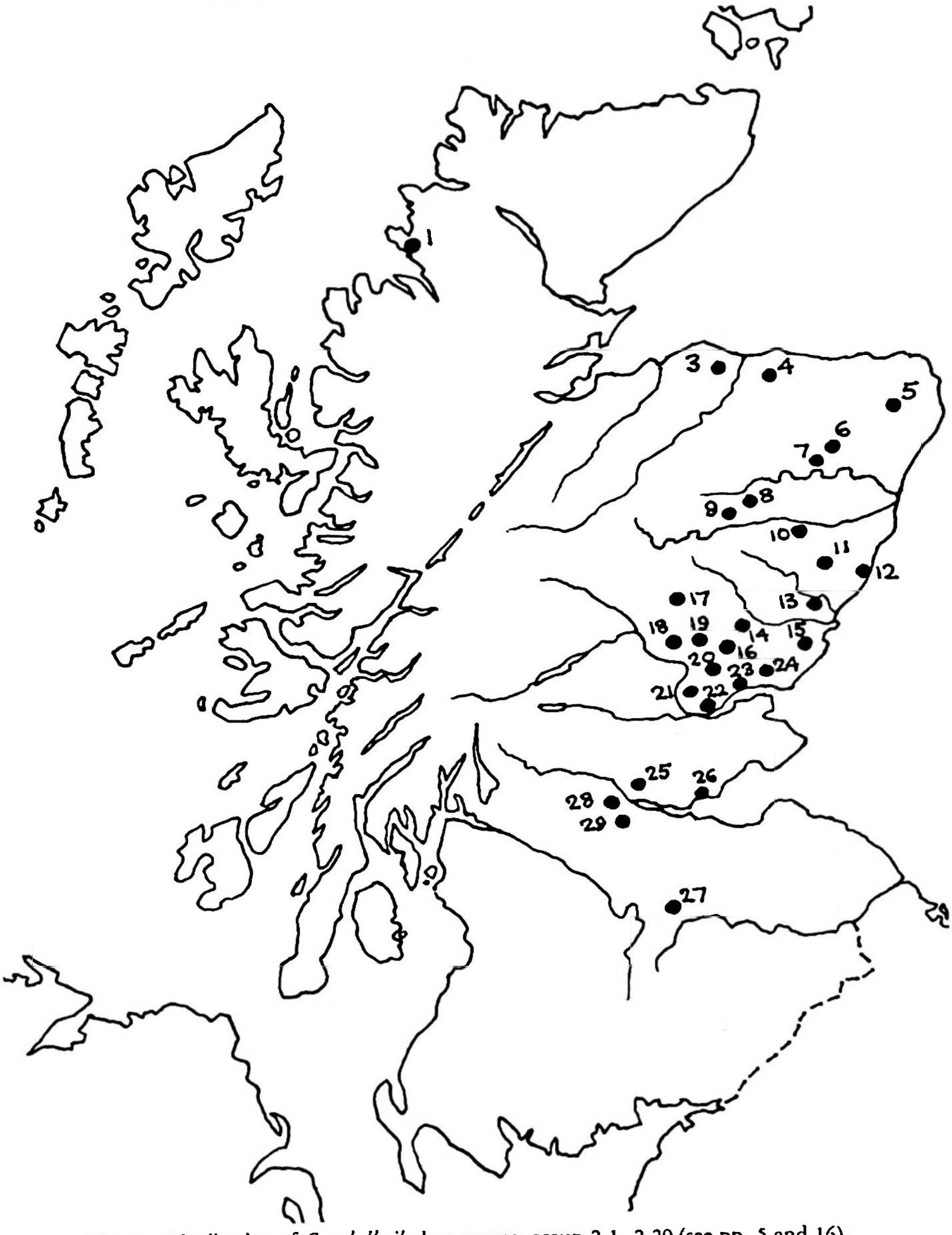


Fig. 2 Distribution of *Comhdhail* place-names, group 2.1–2.29 (see pp. 5 and 16).

although not very probably, 2.20, may really represent the Scots vernacular compound 'cot' + 'hill'. No systematic effort has been made to learn the local or traditional pronunciation of the names listed. The second point to keep in mind is that the list does not pretend to be exhaustive, for whereas the *Retours* have been examined in detail, the *Great Seal Register* from 1513 onward and several other series of official records (*e.g.* the *Exchequer Rolls* from vol. II) have not been consulted at all. Only a small selection of local histories and topographical works have been searched, although almost all the ecclesiastical and secular cartularies and comparable collections have been combed fairly thoroughly. Consequently, the list may omit some names which ought to be there but contain several which ought not. In the case of some names, omission is due to my own fence-sitting. For example, I have included the doubtful-looking Candle Stone (Ellon) because of Alexander's comment, *s.v. (Aberd. P.N.:* 32), but somewhat illogically I have included only one of the Aberdeenshire 'Candlehills' to which Alexander there refers. Likewise omitted is Drumwhindle in Ellon—perhaps to be connected with the name Candle Stone. I have deliberately left out of account the Kettle-, Kittle-, Kittie- names, since the difference of vowel quality seems fundamental. Quithel- names, on the other hand, have been included, since the form seems comparable to well-recorded forms such as Cuithill, Culthill *etc.*, and in the case of the Old Deer example the change from Cuthill to Quithel is well attested. Moreover, Kettle in Fife is recorded as Cattell, Katel as early as the twelfth century (*RRS* I: 229; *North Berwick Carte* no. 3: 6), and these forms seem quite unrelated to our cuthill- names.

Turning from morphology to the geographical and documentary context of the material, we have already noted that a high proportion of listed place-names (some 16 out of a total of 53) are (or seem to be) associated with 'hill', 'brae' or 'head', while Cuttlecraigs (1.7) and Coleduns (2.14) may contain elements suggestive of a hilltop site. Of the other associated elements, 'stane (stone)', occurs perhaps five times—although it must be said that the earliest forms of Coldstone (1.10) do not inspire any confidence that 'stone' is not a late-medieval anglicisation, while in the absence of early forms 2.9 must also be regarded as doubtful. Watson was ready to see Coldstone as a Gaelic-English hybrid containing *comhdhail* (M. Irish, *comdāl*) and 'stan(e)' (Watson 1926: 182, 492). Although he used Theiner's *Vetera Monumenta,* the only work in which the thirteenth-century forms were available in print when Watson's work on place-names was going forward,[8] Watson seems not to have been aware of them. He took the name to mean 'trysting stone' and compared it with a reputed 'clach na comhalach' near Achiltibuie (*op. cit.:* 182, 492; *Ross P.N.:* 258). The form Quoquoddilstane seems to confirm that in this morphologically fluctuating place-name we have the element *comhdhail* which was probably a difficult word to assimilate to a form acceptable in Scots. The form Colquhondistane may strengthen the suggestion that the Candle Stone in Ellon also contains this element. At least in this case the second element must refer to a real stone, for it is still extant. No

comparable monolith is known at the site of Coldstone, although the old kirkyard is cut into the south slope of a conspicuous rounded knowe.

1.22 combines the *comhdhail* element with *droigheann*, 'thorn', but plant association seems uncommon. In the oldest form of 1.1 the second element *dabhach* is presumably qualifying: 'cuthill of the davach'; whereas in 1.7, 1.21 (Cuthilmuir), 1.24, 2.2, 2.15, 2.19, 2.22, 2.24 (Cuthilmyre) 2.26, 2.27 and 2.29, the second element is primary, and it is 'cuthill' which is the qualifying element. Many of these names are no doubt of comparatively late formation, but 2.13 is found only in the thirteenth century. 'Login cuthel' presumably means '*lagan* ('hollow') of the cuthill', that is 'the place called *lagan* (an extremely common place-name element) which is distinguished by the presence of a cuthill'.

In any comparison of Scotland with England it is worth recalling that the open-air, landmark character of ancient English popular courts is clearly shown by the high proportion of hundred and wapentake names which embody the elements 'stone' (Hurstingstone), 'cross' (Osgoldcross), 'law' = 'hill' (Oswaldslaw, Harlow), *beorg* (Langbargh, Loosebarrow), 'tree' (Wixamtree, Thedwestry), 'ash' (Brooms Ash), 'oak' (Skyrack) and—although this is noticeably rare—'hill' (Pirehill).[9] Such names remind us that common law once derived some of its validity from being administered under God's open sky. Although no exact parallel can be drawn, it is noteworthy that the class of cuthill names contains several which associate the key word with hills, hillocks, braes, and muirs. We may note here the record of the justiciary court of Fife and Fothrif in 1266 (already mentioned) (*Laing Chrs.* no. 8) which convened 'on the muir of Pitcorthie' (East Fife), a site distinguished in both fact and place-name by prominent standing stones. In 1349 the justiciar of Scotland benorth Forth held a court 'apud stantes lapides de Rane en le Garviach', that is, at the stone circle on the Candle Hill of Rayne (no. 2.6) (*Aberdeen Reg.* I: 80), and in 1380 the King's Lieutenant in the north parts held a court 'apud stantes lapides de Ester Kyngucy in Badenach' or 'apud le standand stanys de le Rathe de Kyngucy estir', *i.e.* at the stone circle formerly at Rait, two miles east of Kingussie (*Moray Reg.:* 183–4). Comparably, we have Cuthilmuir in Orwell (1.21), significantly close to the county boundaries of Fife, Kinross and Perthshire, and also close to an area marked by numerous standing stones. 1.22 is on a comparable muirland site, containing Thorn Knowe, a pre-historic burial cairn. (For the site I have used field information contained in the Ordnance Survey Name Book for Kinross-shire.) 2.7 is perhaps a doubtful member of the class, but the site is a conspicuous hilltop with a stone circle of the recumbent stone type (*Aberdeen P.N.:* 232). 2.14 may be located tentatively on another conspicuous rounded green hill in the north of Kingoldrum parish, the site of a justiciary court in 1253. It is not certainly a cuthill name, although the form may be compared with the earliest known forms for 1.10 and 1.21 . It might conceivably embody the Old English word *dūn*, a down or rounded hill, although the date seems too early for the place-name use of English in the braes of Angus.

If the hypothesis put forward here could be proved, the survival of over fifty place-names containing the term *comhdhail*, either as a simplex name or in a compound, would throw some welcome new light on the provision of law enforcement and settlement of disputes in earlier medieval Scotland. It would push our horizon of the operation of justice at local level well back from the twelfth century to the period from the ninth to the eleventh century. If our cuthill names (or a majority of them) do indeed represent places where courts met regularly over a long enough period to give rise to a durable place-name, then we should be able to fit our information about dempsters (*judices*) and mairs into a realistic geographical context, and their survival into the fourteenth century or later, together with the survival of other features from the period before *c.* 1150 would become easier to understand. We should no longer need to see the dempsters fitting somewhat awkwardly into the newer sheriffdom court/justiciary court system. The distribution of our names suggests that a popular court might well have existed for each area approximating to the size of an average medieval parish. It must be significant that there is scarcely one unambiguous instance of more than one cuthill name occurring within one historic parish. Exceptions might be provided by 1.23 and 2.26, both in Aberdour, Fife, but it must be noted that 1.23 is very close to the northern parish boundary, and might have lain in the debateable territory to the north of Dalgety and Aberdour most of which became the parish of Beath. It might further be suggested that a customary court meeting-place might be expected for each shire of the early type, and that some at least of the surviving cuthill names refer to such localities. In this connection we note that an old alternative name for the parish of Coull, Aberdeenshire was 'the shire o' Gellan' (*Aberd. P.-N.*: 288); 1.11 is three-quarters of a mile from North Gellan.

That the meeting-places indicated—if, indeed, they are indicated—by the cuthill element had an antiquity comparable with the hundred, small shire and wapentake meeting-places in England is strongly suggested by their geographical association, in an appreciable number of cases, with major prehistoric monuments, especially cairns, stone-circles and standing stones. This association may be seen in the case of some twelve sites on the list, and that dozen is probably an underestimate. Moreover, in the case of 1.8, 1.16 (Gallow Knowe), 1.27, 2.5, 2.16, 2.26 and 2.27 the cuthill name is associated with a lord's hall or castle or at least with the holding of courts and with punishment, and the same may be true of 1.17. If the word cuthill really meant no more than 'grove' or 'place where corn was dried' these coincidences would be, to say the least, remarkable.

The distribution prompts us to ask why the eastern side of Scotland (overwhelmingly the North Sea littoral) has so many of the cuthill names and why there are practically none in the central or west highlands and apparently none in the isles. If cuthill really stands for *comhdhail* then a plausible explanation would be that such a term, applied to a place of customary resort for court meetings, would tend to harden into a place-name only when the Gaelic language was yielding place to

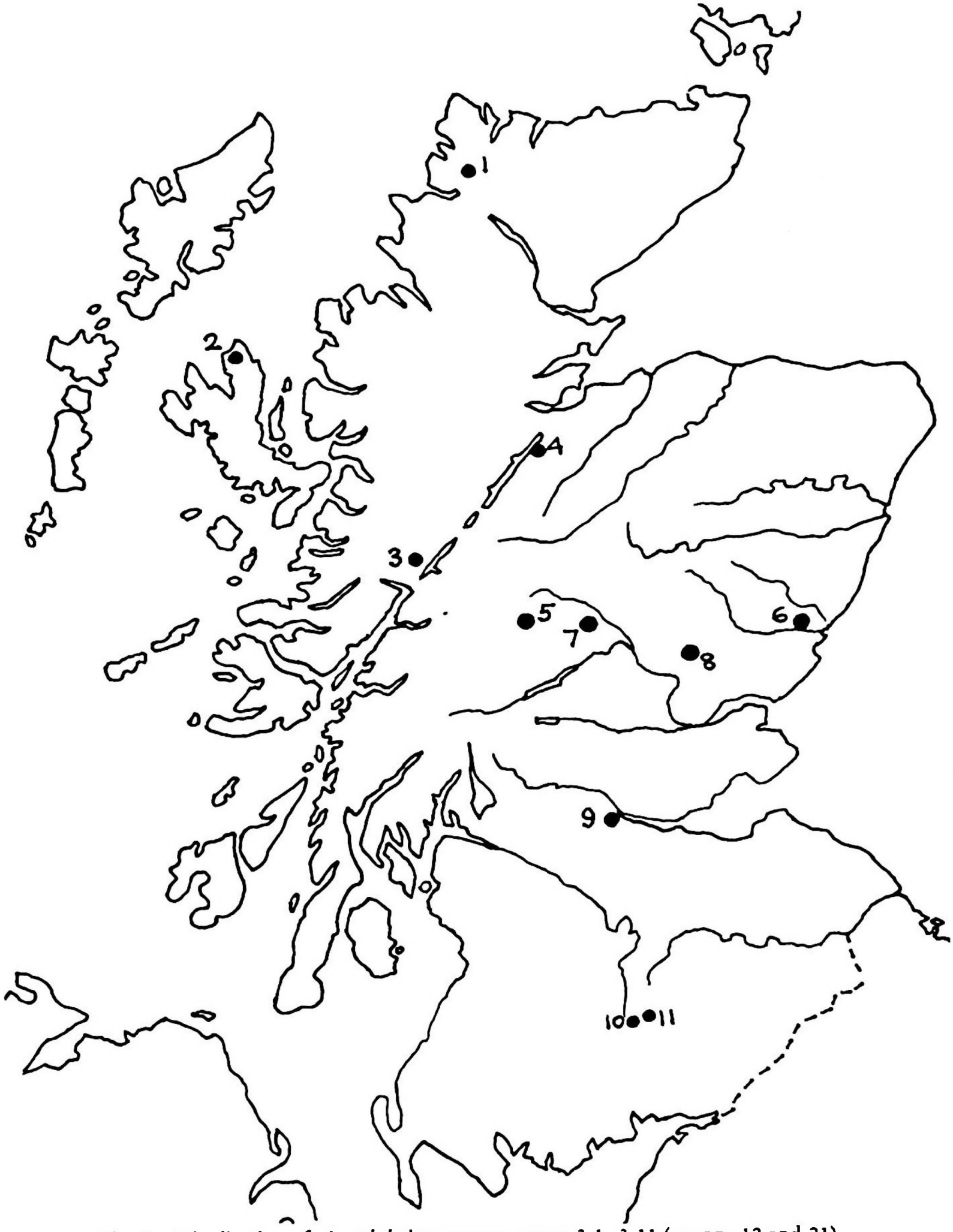


Fig. 3 Distribution of *eireachd* place-names, group 3.1–3.11 (see pp. 12 and 21).

English or where English was at least co-existing with Gaelic. In areas where only Gaelic was spoken there would not be the necessity of turning what was a mere description, well understood by all, into the permanent name for a locality. But at a later period, by the time Gaelic had yielded to English even in these more highland or westerly areas, the courts to which the word referred had long ceased to meet and had been replaced by baron courts and sheriff courts, so that the term did not have time to 'stick'.

It might also be true that an alternative term had always been, or at least became, preferable in the west. Such a term as *eireachd* (Old Irish *airecht*), 'assembly', 'court', might take the place of *comhdhail* in certain western and/or highland regions (Watson 1926: 491). Watson's treatment of this element is rather fuller than his treatment of *comhdhail* (*op. cit.:* 492), and most of what is written here on *eireachd* is derived, directly or indirectly, from his book. Dr J. W. M. Bannerman, with whom I have discussed the contents of this paper, suggests that *eireachd* would normally indicate a larger or more important assembly than seems to be indicated by the use of *comhdhail*, and that its distribution is not necessarily to be seen as parallel to that of *comhdhail*. Certainly this word has left its mark on place-names (see Appendix II) and in at least some cases it seems to have had the meaning of 'court'. Its distribution (Fig. 3) shows a markedly more western and highland bias, although if I am correct in classifying Airth in Stirlingshire (and more doubtfully Arrat in Angus) as examples then this word too could penetrate into the eastern lowlands and overlap slightly with *comhdhail*. Other terms which have to be taken into account are *aonach*, which seems to have been used of fairs or markets rather than of popular courts, and *tional*, which perhaps had more the sense of a mustering or rallying place (*op. cit.:* 491–2). There are, of course, comparable place-names in non-Celtic languages, *e.g.* Dingwall (Ross and Cromarty), Tinwald (Dumfriesshire), both standing for Scandinavian *þing vǫllr*, 'field or place of the court or assembly', and Meet Hill (Peterhead, formerly Inverugie, Aberdeenshire) and Moathill (Cupar, Fife). These have not been considered here, but would need to be taken into account in any comprehensive survey of the evidence.

APPENDIX I

1 Place-names shown on Ordnance Survey 1in. 7th series or 1/50,000 maps

(Place-name in capitals, parish in lower case below)

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Sutherland			
1.1 CUTHILL Dornoch	NH753878	Cuttheldawach 1275	*Bannatyne Misc.* III (1848): 22, 23
		Cuthill 1605	*Retours*, Sutherland, no. 2

Appendix I *Contd*:

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Moray			
1.2 COTHALL Alves	NJ116603	lie Cuthill 1567 (wood commonly called) lie Cuthell de Elves 1612 (wood called)	Moray Reg.:393 *Retours*, Elgin, no. 183
Aberdeen			
1.3 GLENQUITHLE Aberdour	NJ844645		*Aberd. P.N*:65
1.4 CUTTYHILL Longside	NK043503		*Aberd. P.N*:45
1.5 CUTTLEHILL (UPPER, NETHER) Cairnie	NJ494475 NJ499475		*Aberd. P.N*:249–50
1.6 CANDLE STONE Ellon	NJ922348		*Aberd. P.N*:32
1.7 CUTTLECRAIGS Daviot	NJ760267	Cuthill 1696	*Abdn. Poll Bk.*
1.8 COTHILL or COTHAL Fintray	NJ847171	Cuthilmylne 1634	*Aberd. P.N*:40
1.9 COTHILL Kincardine o' Neil	NJ640024	Perhaps cot + hill, but immediately north of remains of stone circle, O.S. 6 in.(1868), sheet 83	
1.10 COLDSTONE Logie Coldstone	NJ432056	Colesen *c.*1250 Colessen, Colecoyn 1274–6 Codlystanys 1374 Codilstane 1402 Kilchodistan 1342 Culquhodstane 1537 Colquhondistane 1549 Quoquoddilstane 1570	*St Andrews Liber*: 356 *SHS Miscellany* VI: 42, 65 *Cal.Pap.Reg.* IV: 200 *Lindores Chrs.*: 294 *Chart. Univ. Paris*, II: 596, n.3 *Kinloss Recs.*: 144 *A-B Coll*: 116 *A-B Coll*: 229
1.11 CUTTIESHILLOCK Coull	NJ488029	In vicinity of stone circle at NJ488035	*Aberd. P.N*:249
1.12 QUITTLEHEAD Lumphanan	NJ568046		*Aberd. P.N*: 358

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Kincardine			
1.13 CUTTIESHILLOCK Strachan (also CUTTIE'S WOOD and ORD OF CUTTIES-HILLOCK)	NO646911	Cuthill 1654 Shown with 'Cuttie's Market' and market stance on the Map of Kincardine-shire (1827)	*Retours*, Kincardine, no. 87
1.14 QUITHELHEAD Durris	NO746933		
1.15 QUITHEL Glenbervie	NO785847	½ mile E is Cuttiesouter	
Angus			
1.16 COTHELHILL Lintrathen	NO289549	Cuthill hill *c.* 1600 Close to Gallow Knowe with tumulus, and Hangmans Acre	N.L.S., Pont MS Maps 29 ('Part of Angusse')
1.17 COTHILL Lunan	NO668517	Cothill 1667 ½ mile from Courthill; 'Grahams Hillock', cairn?, to SW	*Retours*, Forfar, nos. 425, 527
1.18 CUTHLIE Arbirlot	NO596414	Cuthle 1471 Cuthlie 1564 Cuithlie, Cuthlie 1612, 1630	*RMS* II, no. 1037 *Laing Charters*, no. 910 *Retours*, Forfar, nos. 191, 366
Perth			
1.19 CULTHILL Caputh	NO097418	Cuthylgrudyn 1266 Cothelgurddy 1290 Cuthilgurdy 1471 Cuthilgourdy 1545	*Exch.R.* I: 34 *Exch.R.*, I: 51 *RMS* II, no. 1030 *Retours*, Perth, no. 2
1.20 INNERCOCHILL (Also GLEN COC-HILL, COCHILL BURN) Little Dunkeld (formerly Lagganallachy)	NN914382	Innercochtkill 1564 Innerchochell 1689 (Assuming that Cochill Burn is a late back formation from either Innercochill or Glen Cochill, respectively 'confluence', 'glen' of the assembly)	*Dunkeld Rentale*: 348 *Retours*, Perth, no. 980

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Kinross			
1.21 CUTHIL and CUTHILMUIR Orwell (formerly Perthshire)	NO153080	Colethin *c.*1240–50 Cuthill• 1649 Cuthillmuir 1867	*SHR* II: 173 *Perthshire Rentall*: 24 *County Directory of Scotland*
1.22 COLDRAIN Fossoway	NO080004	Cothilduran(e) 1363–9 Cuthildurane 1391 ('in earldom of Strathearn') The name is from *còmh-dhail droigheann*, 'assembly place of thorns', and is near a pre-historic burial mound called Thorn Knowe. Perhaps compare Culdrain in Gartly, Aberdeenshire, Coldrane 1511. Coltrannie in Auchtergaven, Perthshire, Coldrayny on NCS, Pont MS. Maps 24, 'Country above Perth', *c.*1600, is more probably, like Cuiltrannich in Kenmore, *Cuilte raithnich*, 'bracken neuk'	*RMS* I, no. 825
Fife			
1.23 CUTTLEHILL Aberdour	NT156894	Cuttlehill 1867 This name, belonging to a colliery site in the north of the parish, presumably developed independently of 2.26 below	*County Directory of Scotland* (1867)
Stirling			
1.24 CUTHELTON Denny and Dunipace *See also 2.29 below*	NS821820	Cuthiltoun 1510 Cuthiltoun 1622 (associated with Herbertshire)	*RMS* II, no. 3444 *Retours*, Stirling, no. 113
West Lothian			
1.25 CUTHILL Whitburn	NS989631	Cuttill 1592	*West Lothian P-N*: 110 (*Edinburgh Testaments*)

• Misprinted Outhill

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
East Lothian			
1.26 CUTHILL Prestonpans	NT383743	Alternatively Cuttle (Groome, *Gazetteer*)	
Lanark			
1.27 COUTHALLEY (also COUTHALLY, COWTHALLY) Carnwath	NS972482	Couthely 1490 (?) Codele 1524 Cutheily 1527, 1533 etc. (wood of) (courts held at) Cuthele, Couthelie, Cowellie 1536 Cowthely 1544 Cudalie 1676 The castle of the Somervilles. The name is said to occur in 1372, *OPS* I. 127–8	*RMS* II, no. 1984 *Carnwath Ct. Bk.*: 13, 67, 101, 152, 155, 165 *op.cit.*: 149, 190, 192, 193 *Retours*, Lanark, no. 337

2 Place-names not shown on Ordnance Survey 1 in. 7th series or 1/50,000 maps
(Parish, where identifiable, in column 2)

County	*Parish*	*Earliest form with select later forms*	*Source*
Ross and Cromarty			
2.1	Lochbroom	Clach na Còmhalaich approx. NC052090 *ex inf.* I. Fraser, School of Scottish Studies	*Ross P.N*: 258
Moray			
2.2	?	Cuthilfeld 1389 ('toun of')	*Moray Reg.*: 393
2.3	Spynie	Cuthilbyrnie hill 1567	*Moray Reg.*: 395
Banff			
2.4	Rathven	Cuttlebrae 1867 at NJ403614, O.S. 6 in. Banff (1872)	*County Directory of Scotland* (1867)

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Aberdeen			
2.5	Old Deer	Cuthyll 1544 Cuthill 1554 (manerea de Deir) Cothill 1587 (mains called) Cuthil *c.*1600 lie Cuthill 1637	*A.B. Ill.* IV: 20 21, 23, 27 *A.B. Ill.*, IV: 557 N.L.S., Pont MS Maps 10 ('Buchan') *Retours*, Aberdeen, no. 240; cf. nos. 387, 400
2.6	Rayne	Candlehill at NJ679279 the site of a major stone circle	*Aberd. PN*:32
2.7	Keig	Cothiemuir Hill or The Cothiemuir at NJ617198	OS 6 in. Aberdeenshire (1874); *Aberd. PN*: 232
2.8	Tarland (?)	ly townis de Cottilstane 1543 OS 6 in. (1868), Sheet 71, shows Cot Hillock at NJ498069, north of W and E Pett. Possibly to be identified with Cothilstane occurring in a marginal addition (XV cent.) in the St Andrews Cathedral Priory cartulary (S.R.O. GD45/27/8, fo. cxiii) to the effect that 'hachadgouan', now lost, in Tarland parish was alternatively so called. See *St Andrews Liber*, p. xxi	*A-B Ill.* IV: 481
2.9	Tullich	Colsten Burn, Glen Colsten (joins Queel Burn at NO400982)	*Aberd. P.N*:225
2.10	Birse	Quithelhead (beside Allancreich, NO573967)	*Aberd. P.N*: 357
Kincardine			
2.11	Fordoun or Fettercairn?	Cowthill 1636 Associated with Balmain and other places in Fettercairn. Cutties Hill shown ⅔ mile E by S of Fettercairn	*Retours*, Kincardine, no. 67

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Kincardine *Contd.*			
		church on OS 6 in. Kincardineshire (1868), at NO663734, in Fordoun parish	
2.12	Dunnottar	Cotthill, common moor of, Cot Hill 1780 (N of Cowieswells, at NO878808)	Adams 1971: 126; S.R.O. RHP41
Angus			
2.13	Logie-Pert	Login cuthel 1243 Refers to church, site of which is at NO705635	Anderson 1922: II. 524
2.14	Kingoldrum	Coledunes 1253 Coleduns 1256	*Arbroath Liber* I, nos. [294], [295], pp. 226, 228
		Justiciary court held upon in 1253. Examination of sources compared with *Arb. Lib.* II, no. 122 suggests location at NO320575. For form of name, *cf.* 1.10 and 1.21 above	
2.15	Arbroath and St Vigeans	Cuthill furd 1612	*Laing Charters*, no. 1647
2.16	Ruthven	Candle Hill At NO296487 as shown on O.S. 6 in. Forfar (1865), immediately N of Hangmans Acre	
Perth			
2.17	Kirkmichael	Cowthill, Cowill 1510 Cuthley *c.*1600	*RMS* II, no. 3450 N.L.S., Pont MS. Maps 27 (Strathardle and Glenshey')
		Couthill 1629	*Retours, Perth, no. 367*
		Cuithill 1649 Cuthill 1835 Associated with also lost Sharavoll, for which read Shanavoll, to be identified with Seanna Bhaile shown	*Perthshire Rental*: 56 *Perthshire Rental*: 57

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Perth *Contd.*			
		on OS 6 in. Perthshire (1867) at confluence of Lochsie with Allt Ghlinn Thaitneich. Pont's map shows 'Cuthley' at lower end of Gleann Taitneach, but apparently on the west bank of the burn. This is probably an error, since James Stobie's Map of Perthshire (1783) shows Wester Cuthell, Cuthell and Easter Cuthell on the east or left bank of Allt Ghlinn Thaitneich and Shee Water, opposite the ruins of Dalmunzie and below 'Shenevald'	
2.18	Clunie	Cothill 1510	*RMS* II, no. 3423
		Coitthill 1630	*Retours*, Perth, no. 401
		Cuilthill 1649	*Perthshire Rentall*: 48
		Cothill shown at NO095455 on O.S. 6 in. Perthshire (1867)	
2.19	Blairgowrie	Cuttleburn 1835	*Perthshire Rentall*: 39
2.20	Coupar Angus	The Cothil, the Kothyl (of Keithick) 1474	*Coupar Angus Rental*, I: 194, 196
		auchtapairt of Kethik callit the Cothill 1495	*op. cit.*: 245
		the Cothill (eighth part of Keithick) 1542	*op. cit.*: II: 182
2.21	St Martins	Cuthill wood of Craigmakerran 1585	*Scone Liber*:226–7
		(shaw and wood called) Cuthell and wood of Craigmakerran 1601	*Retours*, Perth, no. 83
		lie Cuthill 1642	*Retours*, Perth, no. 507
		(of the lands of Craigmakerran)	
		Craigmakerran occupies a conspicuous hilltop site with stone circles to NE and S	

Appendix I *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
2.22	Kinfauns	Cuthillsydes 1629	*Retours*, Perth, no. 389
		Cuthellside 1835	*Perthshire Rentall*: 13
2.23	Longforgan	Cutles, Easter and Wester 1695	*Retours* Perth, no. 1017
2.24	Fowlis Easter	Cuthel, Chutel 12th-13th century	*St Andrews Liber*: 40–1
		Cuthilmyre before 1364	*RMS* I, no. 177
Clackmannan			
2.25	Alloa (?)	Cuthill 1649 (in barony of Sauchie)	*Retours*, Clackmannan, no. 26
Fife			
2.26	Aberdour	Cutilhill, Cuithillhill, Cuthilhill 1563 The name became modernised as Cuttlehill, but this was restricted to the ground called Cuttlehill Park when Cuttlehill House was renamed Aberdour House. The site is immediately west of the old castle of Aberdour, at NT192854. Presumably this site and name are not connected with 1.23 above.	*Inchcolm Chrs.*: 218, 222, 226; *cf. Retours*, Fife, nos. 118, 338 etc.
Peebles			
2.27	Broughton, Kirkbucho and Glenholm	Cuithilhall 1677	*Retours*, Peebles, no. 169
		Cuttlehall, Kittlehall, Cuttle-hill Identified with manor house of Rachan which is at NT122346	Buchan and Paton 1925–7: III. 285; *OPS*, I: 181
Stirling			
2.28	St Ninians	lie Cuthill 1627	*Retours*, Stirling, no. 121
2.29	Denny and Dunipace	Cuthill, also Cuthilbrae 1582 (little wood called Saint Alexander's)	*Retours*, Stirling, no. 354
	See also 1.24 above		

APPENDIX II

Place-names shown on Ordnance Survey 1in. 7th series or 1/50,000 maps

(Place-name in capitals, parish in lower case below)

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
Sutherland			
3.1 AN EARACHD (AN EIREACHT) Eddrachillis	NC299405	(A slope between Loch More and Loch Stack)	*Cf.* Watson 1926: 491, who says the name applies to 'a flat at the head of Loch More', apparently meaning 'foot of Loch More'.
Inverness-shire			
3.2 CNOC AN EIREACHD Kilmuir	Unknown	'Chock [for *cnoc*] an eirick, or the hill of pleas' 1772 (near Duntulm)	T. Pennant, *A Tour in Scotland and voyage to the Hebrides* (1772): 208
3.3 ERROCHT (ERRACHT) Kilmallie	NN143824		
3.4 ERCHITE (EASTER, WESTER) Dores (formerly Boleskine)	NH584312	Ercht 1468 Erched, Erchhed 1476	*RMS* II, no. 966 *op. cit.*: nos. 1261–2
3.5 LOCH (RIVER) ERICHT Laggan (also Perthshire, Fortingall, formerly Rannoch)	NN632842	Irochty 1502	*RMS* II, 2664
(also CAMAS EIREACHD	NN519582	Cammysirochtis 1502	*op. cit.)*
Angus			
3.6 ARRAT Dun	NO638588	Arrade, Arrath *c.* 1267 Arroth 1378 Arrot 1456	*Brechin Reg.* I: 7, 8 *RMS* I, no. 652 *Brechin Reg.* I: 182
Perthshire			
3.7 GLEN ERROCHTY Blair Atholl	NN800650	Glenherthy *c.* 1220	*Coupar Angus Rental* I: 334

Appendix II *Contd.*

County, entry and parish	*NG Ref.*	*Earliest form with select later forms*	*Source*
3.8 RIVER ERICHT Blairgowrie and Rattray	NO170505	Aricth *c.* 1161 Ariht, Arith *c.*1198 (Perhaps a back-formation from Glenericht, 'glen of the assembly')	*RRS* I: 251 (no. 226) *Coupar Angus Chrs.* I: 29
Stirlingshire			
3.9 AIRTH	NS897877	Hereth *c.*1140–7 Ereth *c.*1153–9 Heret *c.*1166 Herth 1240 Herht 1251	*Holyrood Liber*:4 *op. cit.*:7 *RRS* II: 147 (no. 39) *Holyrood Liber*: 64 *op. cit.*: 63
Lanarkshire			
3.10 ERRICKSTANE HILL Crawford	NT026144	(Close to boundary with Dumfries-shire)	
Dumfries-shire			
3.11 ERICKSTANE (also ERICSTANE farm, Moffat	NT063126 NT073110)	Arykstane 14th century close to boundary with Lanarkshire)	Barbour, *Bruce*: 23 (Bk II, line 148)

NOTES

1 For the probable origin of the word 'slains' in 'letters of slains', see J. Wormald, 'Bloodfeud, kindred and government in early modern Scotland', *Past and Present* (1980), 87: 62 and n. 30.

2 The document is noticed by W. C. Dickinson, *Carnwath Ct. Bk.*, p. xii, f.n.1, in a passage dealing with infeftment *cum curiis*. Dickinson noted that Couthal 'might possibly be a place-name', but does not seem to have envisaged that the place-name itself might have meant 'court'.

3 Donaldson 1882 (rev. edn.). *The Scottish National Dictionary, s.v.* 'cutle', merely repeats Jamieson.

4 Bk. V, lines 4921–4 (ed. Laing II: 30–31):

> Saynct Benet gert stryk all downe
> Kwthlys that in devotyoune
> Carlys oysyd on thare wys
> In lowyn off fals mawmentrys.

5 Gregory's *Dialogues, apud* J. -P. Migne, *Patrologia Latina*: 66, col. 152.

6 *P. Vergilii Maronis Aeneidos Libri VII-VIII*, ed. C. J. Fordyce, P. G. Walsh and J. D. Christie (OUP for Glasgow, 1977), p. 35; *Virgil*, ed. H. R. Fairclough (London and Cambridge, Mass., 1954), pp. 78–9; *Virgil's Aeneid*, translated into Scottish Verse by Gavin Douglas, bishop of Dunkeld, ed. D. F. C. Caldwell (Scottish Text Society 1957–64), III: 138.

7 *Aeneidos VII-VIII (ut cit. supra)*, p. 46; ed. Fairclough, pp. 100–1; Douglas, *Aeneid (ut cit. supra)* III: 159.

8 Watson 1926: XX. The taxation of Master Baiamundo de Vitia (*c.*1275), in which the earliest forms appear, has since been critically edited by A. I. Cameron or Dunlop (*SHS Miscellany* VI (1939). Coldstone appears at pp. 42 and 65).

9 'Hill' may be rare because of the relatively early date of many hundred names. By an odd coincidence, one Staffordshire hundred was called Cuttlestone, the early forms of which show the first element to be the Old English man's name Cuthwulf, in the genitive case.

REFERENCES

ABDN. POLL BK.
1844 *List of Pollable Persons within the Shire of Aberdeen, 1696*, ed. J. Smart. Spalding Club, Aberdeen.

ABERDEEN REG.
1845 *Registrum Episcopatus Aberdonensis*. Spalding and Maitland Clubs, Aberdeen and Edinburgh.

ABERD. P.N.
1952 *The Place Names of Aberdeenshire*, by W. Alexander. Third Spalding Club, Aberdeen.

A.B. ILL.
1847–69 *Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff*. Spalding Club, Aberdeen.

ADAMS, I.
1971 *A Directory of Scottish Commonties*. Scottish Record Society, Edinburgh.

ANDERSON, A. O. (ed.)
1922 *Early Sources of Scottish History 500–1286*. Edinburgh.

ARBROATH LIBER.
1848–56 *Liber S. Thome de Aberbrothoc*. Bannatyne Club, Edinburgh.

BANNATYNE MISC.
1827–55 *The Bannatyne Miscellany*. Bannatyne Club, Edinburgh.

BARBOUR, J.
1909 *The Bruce*, ed. W. M. Mackenzie. London.

BARROW, G. W. S.
1973 *The Kingdom of the Scots*. London.

BRECHIN REG.
1856 *Registrum Episcopatus Brechinensis*. Bannatyne Club, Edinburgh.

BUCHAN, J. W. and PATON, H.
1925–7 *History of Peebles-shire*. Glasgow.

CARNWATH CT. BK.
1937 *The Court Book of the Barony of Carnwath 1523–1542*, ed. W. C. Dickinson. Scottish History Society, Edinburgh.

COUPAR ANGUS CHRS.
1947 *Charters of the Abbey of Coupar Angus*, ed. D. E. Easson. Scottish History Society, Edinburgh.

COUPAR ANGUS RENTAL
1879–80 *Rental Book of the Cistercian Abbey of Cupar Angus*, ed. C. Rogers. Grampian Club, Edinburgh.

DONALDSON, D. (ed.)
1882 J. Jamieson's *Dictionary of the Scottish Language*. Paisley.

DOST
1931– *Dictionary of the Older Scottish Tongue*, edd. J. Aitken and others. Edinburgh.

DUNKELD RENTALE
1915 *Rentale Dunkeldense*, ed. R. K. Hannay. Scottish History Society, Edinburgh.

EXCH. R.
1878–1908 *The Exchequer Rolls of Scotland*, edd. J. Stuart and others. Edinburgh.

FIFE COURT BK.
1928 *The Sheriff Court Book of Fife 1515–1522*, ed. W. C. Dickinson. Scottish History Society, Edinburgh.

HOLYROOD LIB.
1840 *Liber Cartarum Sancte Crucis*. Bannatyne Club, Edinburgh.

INCHCOLM CHRS.
1938 *Charters of the Abbey of Inchcolm*, edd. D. E. Easson and A. Macdonald. Scottish History Society, Edinburgh.

INNES, C.
1872 *Lectures on Scotch Legal Antiquities*. Edinburgh.

LAING CHRS.
1899 *Calendar of the Laing Charters 854–1851*, ed. J. Anderson. Edinburgh.

LAWRIE, A. C. (ed.)
1905 *Early Scottish Charters prior to 1153*. Glasgow.

MORAY REG.
1837 *Registrum Episcopatus Moraviensis*. Bannatyne Club, Edinburgh.

N.L.S.
National Library of Scotland.

NORTH BERWICK CARTE
1847 *Carte Monialium de Northberwic*. Bannatyne Club, Edinburgh.

OPS
1881–5 *Origines Parochiales Scotiae*. Bannatyne Club, Edinburgh.

OS
Ordnance Survey.

PENNANT, T.
1772 *A Tour in Scotland and Voyage to the Hebrides*. Chester and London.

PERTHSHIRE RENTALL
1835 *Rentall of the County of Perth by Act of the Estates of the Parliament of Scotland, 4th August, 1649, contrasted with the Valuation of the same County 1st January, 1835*. Perth.

RETOURS
1811–16 *Inquisitionum ad Capellam Domini Regis Retornatarum, quae in publicis archivis Scotiae adhuc servantur, Abbreviatio*, ed. T. Thomson. Record Commission. Edinburgh.

RMS
1882–1914 *Registrum Magni Sigilli Regum Scotorum* edd. J. M. Thomson and others. Edinburgh.

ROBERTSON, J.
1839 *The Book of Bon Accord*. Aberdeen.

ROSS, P. N.
1904 *Place-Names of Ross and Cromarty*, by W. J. Watson. Inverness.

RRS
1960– *Regesta Regum Scottorum*, edd. G. W. S. Barrow and others. Edinburgh.

ST ANDREWS LIBER
1841 *Liber Cartarum Prioratus Sancti Andree in Scotia*. Bannatyne Club, Edinburgh.

SCONE LIBER
1843 *Liber Ecclesie de Scon*. Bannatyne and Maitland Clubs, Edinburgh.

SHR
1904 *Scottish Historical Review*. Aberdeen.

SHS MISC.
1939– *Scottish History Society Miscellany*, vol. VI. Edinburgh.

WATSON, W. J.
1926 *The History of the Celtic Place-Names of Scotland*. Edinburgh.

WEST LOTHIAN PN
1941 *The Place Names of West Lothian* by A. MacDonald. Edinburgh.

The Angus Campbells and the Origin of the Campbell-Ogilvie Feud

EDWARD J. COWAN

It fell on a day, and a bonny simmer day,
When green grew aits and barley,
That there fell oot a great dispute
Between Argyll and Airlie.

In 1640 the Committee of Estates granted a commission of fire and sword to Archibald eighth Earl of Argyll to hunt down certain 'intestyne enemyes' of the covenant, among them the Earl of Airlie and his son Lord Ogilvie (*HMC* IV: App. 491–2). At that time James Graham fifth Earl of Montrose was recruiting troops in Angus for the covenanters' planned invasion of England. When the people of Angus learned of Argyll's commission they were greatly alarmed. News that he was advancing through Perthshire with his 'hielanders' 'did so affrighte and terrifie the people ther, who so feared for their homes, as they war most unwilling to suffer the regiments to remove until they had scaped that occasion' (Napier 1848: I. 359). Montrose obliged by taking Airlie Castle himself. He then told Argyll that there was now no need for him to march into Angus, while he himself headed for the Borders. Undeterred Argyll invaded the Angus Braes during the first week of August, ravaging Airlie Castle and sacking the Ogilvie estates; he also ordered the burning of Fortar Castle and sent a party to Inverquharity.

In the ballad tradition (Child no. 199A) Argyll craved a kiss of Lady Ogilvie who was alone in the castle. The request rejected, Argyll raped the lady.

He hath take her by the middle sa sma
And O, but she grat sairly,
And laid her down by the bonny burnside,
Till they plundered the castle of Airlie.

The suggestion that Argyll should have sought a kiss, let alone anything more ambitious, seems preposterous from all that is known of his character (Cowan 1980: 48–50). Historically Lady Ogilvie was not even present, and in the event she was to perform a feat remarkable for one with a 'middle sa sma' in that she gave birth to a daughter a few days after her supposed ordeal (*CSPD* I: 53).

The familiar events at Airlie in 1640 are not the concern of this paper. The

'Angusians,' however, had every reason to be apprehensive in that year. Memories were long on the braes of Angus and finely honed through regular recall: many could remember the feud between the Campbells and the Ogilvies which had been initiated, obscurely, in August 1591. A perceptive member of the Lindsay family lamented 'the devilish custom and barbarous cruelty of deadly feid taking their revenge of any pertaining to their enemy or of his name, although never so innocent of the fault' (Lindsay 1849: I. 476). This investigation begins with a simple question. How and in what circumstances did the feud between the Campbells and the Ogilvies originate? It is to be hoped that the rather complicated and somewhat imperfect answer may shed some light on what should be a central theme of Scottish history in this period, namely the feud itself, rooted as it was in the kin-based society (Cowan 1979: 132–57; Wormald 1980: 54–97). Secondly this paper will, it is hoped, illuminate a phenomenon which is not unparalleled in the annals of Scottish history but which is certainly fairly unusual, namely the plantation of a Highland kindred in the Lowlands. Some attention has been paid to Lowland plantations in Kintyre and Lewis but no-one appears to have investigated the reverse process. Lastly a word of caution. The feud is frequently dismissed as the product of primitive lawless societies. There is no narrative account of the developments discussed below. What follows is pieced together from the records of the privy council, the register of the great seal, the acts and decreets, the register of deeds and so on. In other words the very men who were involved in the feuds were sophisticated individuals with a good and close knowledge of the legal processes. Were it otherwise their history would be unrecorded.

James fifth Lord Ogilvie had declared for protestantism in the 1550s but he was known in 1589 to be sheltering priests (*CSP Scot.* X: 100). He presided over a brood of wild and restless sons for whom he was obliged to find caution in 1590 (*RPC* IV: 482–3). His eldest son, the Master, was so unpredictable that Ogilvie declined to give assurance for his good behaviour (Wilson 1924: I. 168). The rest of the family worked off some of their surplus energy by raiding and pillaging in the southern Highlands.

In October 1591 Lord James complained to the privy council that during the previous August Archibald Earl of Argyll 'upoun quhat motive or occasioun the said Lord knawis not, without ony deserving on his parte, haveing concludit the wrack of his hous or freindship and being informeit that he had reteirit himself in sobir and quiet maner to duell and mak his residence in Glen Ilay' sent a force of five hundred 'brokin hieland men off set purpois and deliberatioun to have slane (Ogilvie) and to have wracked and spulziet and cuntrey'. Ogilvie with his wife and bairns had managed to escape but others were less fortunate since eighteen or twenty persons were 'murderit' while large quantities of livestock and goods were carried off 'to the utter wrak and undoing of the haill inhabitantis of the cuntrey'. The invading force included the Campbells of Cabrachan, Inverawe and Glen Lyon as well as Archibald Campbell of Pearsie, Neil 'leech' in Lochaber, Allan Roy son of the laird of Glen Coe and John MacRanald in Lochaber (*RPC* IV: 682–4).

The king had directed Argyll to withdraw these men to their own bounds but they lingered on the hills to invade Glen Isla and Glen Clova once again in September. On this occasion they murdered three or four innocent men and women, carried off a substantial amount of plunder and demolished Clova Castle (*RPC* IV: 682–4). The same session of the privy council, however, also received a complaint from George Campbell in Crunan and Archibald Campbell in Pearsie on behalf of the kin and dependants of the late Robert Campbell in Milhorne, William Campbell in Soutarhous, Thomas Campbell portioner of Kethick and John Campbell of Murestoun 'maist cruellie and unmercifullie murdereist' by a group of Ogilvies only five days before the first Campbell invasion of Glen Isla (*RPC* V: 684). There was considerable interest in both sets of complaints.

> Argyll and his friends have appointed to be in Edinburgh about 1 October to call for redress against Lord Ogilvie and the Master for the slaughter of four Campbells; for although Argyll raised letters of horning against Ogilvie for his appearance yet by means of courtiers the king stays the process, purposing to reconcile the parties which shall be difficult (*CSP Scot.* X: 570).

The Ogilvies found cautioners to ensure that they would answer the complaint of the wives and children of the slaughtered Campbells. David Earl of Crawford put up caution of £10,000 for Lord James. £3000 was posted for George Ogilvie while bonds of between £300 and £50 were demanded for other Ogilvie supporters (*RPC* IV: 177). These sums were considerable. Several of the 'brokin men' of the Glen Isla invasion were MacGregors. Ogilvie and Crawford managed to capture two of them, having them executed at Perth before they could be brought to trial, so further offending Argyll whose protection or mastership the MacGregors claimed (*CSP Scot.* X: 573). The council decided that 'either party shall bring in or else by themselves banish or keep out of the realm the principal offenders in these outrages'. Argyll was charged with three of his name for whom he alleged he was not responsible although he offered to banish them if Ogilvie would take reciprocal action. Lord James, understandably thought this unfair 'because Argyll's dependers, being but broken and base men, had given just such occasion to Ogilvie and his sons to take revenge' (*CSP Scot.* X: 585).

After the invasion of 1591 the Master and his wife, Jean Ruthven, abandoned their residence at Airlie Castle for Bolshan some five miles south of Brechin (Wilson 1924: I. 167). Jean may be the original Lady Airlie of the ballad. The statement in the first verse about the sudden falling out of a 'great dispute' would better fit 1591 than 1640 since the two families had actually enjoyed quite a close relationship in the earlier period as will be seen below. The Earl of Argyll, however, later to become famous as the notorious Gill-easbuig Gruamach, was only sixteen years old in 1591 and there is no real evidence that he personally led the attack upon Airlie. The heat was to go out of the Campbell–Ogilvie feud because of an extraordinary series of events the effects of which were to reverberate throughout the whole of Gaeldom.

On 4 February 1592 an assassin fired a 'reid stokit hagbutt' through the window of the house of Knipoch on the south shore of Loch Feochain killing Sir John Cawdor as he sat by his fireside. Three days later his ally the Earl of Moray was slain by Huntly at Donibristle. Such was the pattern of feuds and alliances that the effects of these killings were felt in every part of the Highlands. It later emerged that Campbell of Ardkinglass, in league with Black Duncan of Glen Orchy, was behind a conspiracy to kill the young Earl of Argyll and his brother Colin. There had been great rivalry between Ardkinglass's father who was Comptroller of Scotland, and Campbell of Cawdor over the curatorship of the earl during his minority. It was to be many years before Clan Campbell recovered from this self-inflicted wound (Cowan 1979: 132–57).

Only five months before his assassination Campbell of Cawdor entertained 'certane of the Cambellis of Angus' to a glass of wine in his lodgings at Glasgow (Innes 1859: 203). In these Angus Campbells are to be distinguished the true origins of the Campbell–Ogilvie feud and a remarkable example of the planting of a kindred.

The Campbells held Redcastle, the aptly named sandstone pile at the mouth of the Lunan, during the reigns of Robert I and David II (Warden 1881: III. 446–8; *SP* V: 491). Thereafter the Campbell connection with Angus was apparently severed until the sixteenth century. On 22 January Magister John Campbell became Treasurer of Scotland (*RSS* I No. 2857). A week earlier, appropriately enough, he had received expenses of 42s. for three days spent in Angus (*TA* V: 98). That same year he received a grant of the lands of Thornton in East Lothian (*RMS* 1513–46 No. 141; *TA* V: 100). He also acquired a precept of legitimation for himself and his two bastard sons, both named John. The precept indicates that he was the illegitimate son of Colin first Earl of Argyll (*RSS* I No. 2910). In 1517 John's wife, Isobel Gray, is also recorded for the first time. She was the daughter of Andrew second Lord Gray, sheriff of Forfar, who had received a charter of the lands of Lundie forfeited by Lord Lyle in 1489 (*RSS* I No. 2933; *SP* IV: 276). In 1526 her husband is first styled 'Mr John Campbell of Lundye' (*RMS* 1513–46 No. 355; *Exch. R* XV: 217). Campbell had the reputation of being a learned man. Hector Boece gratefully acknowledged his debt to John and to the third Earl of Argyll who supplied him with ancient volumes in writing his history, John taking the books from Iona to Aberdeen. Boece referred to Campbell as one of the sources upon which he relied most heavily and at one point he describes John as 'scriptor historiae Scotorum' (Boece 1527: aiii. 118). That Campbell did not restrict his interests to history is indicated by his possession of Dietrich Dorsten's *Botanicon* in which he noted the Scottish names of the plants therein illustrated (Durkan 1980: 350n.).

Master John enjoyed a distinguished career as a member of the royal household and as an important component of the Campbell clique surrounding young James V. He was treasurer from 1517 to 1526 during the financially difficult period of James's minority. By the time he resigned office he was out of pocket by £3704 (*TA*

XII: xli–ii). As treasurer he was preoccupied with royal debts, with various aspects of trade and with several commissions on the coinage. His responsibilities ranged from paying the maintenance of five Italian minstrels to supplying the expenses of a German named Quyntire Leich who was engaged to import miners from Germany 'to labore in the golden myne' (*ADC*: 237, 323). He took care to register an assignation to his son John of all the debts due to him by the king and others, yet so chaotic were treasury affairs at this period that it was claimed that John owed the Crown rather than the Crown him (*ADCP*: 275; *TA* XII: xlii).

On resigning from the treasury he specialised in diplomacy, receiving his first commission to visit Zealand to discuss the Scots staple at Veere in 1526 (*ADC*: 236). Three years later a crowded schedule included secret discussions with Margaret, archduchess of Austria at Liège, a meeting with Odulph of Burgundy, negotiations about the Scots staple in Flanders and a commission to 'inquyr of the maneris', and to inspect the person, of the widowed queen of Hungary who was being considered as a possible wife for James V (Hannay 1954: 156, 159, 163, 191). On the occasion of this embassy James granted a letter of respite and safeguard to his 'lovit familiar servitour and counsalour' who now enjoyed the dignity of knighthood in keeping with his ambassadorial status. The king took into his protection John himself 'his kynnismen, freyndis and servandis with his and thare propir men, tenentis, familiaris, servandis, actouris, factouris, firmoraris, procuratouris and intromettouris with their landis etc.'. No fewer than seventy-five individuals were named in the letter though only three of them were Campbells, two being Lawers and his brother (*RSS* II No. 59).

John was one of three commissioners appointed in 1530 and again in 1533 to negotiate a truce with England (*ADCP*: 339–40, 405; Hannay 1954: 244–5). Relations with England and Henry VIII were potentially volatile. In 1523 John had been appointed Master of Artillery; in 1528 he was keeper of Edinburgh Castle. When in 1533 negotiations broke down he was appointed captain-general to all the 'futbandis' of Scotland as well as collector of the contribution for the Scottish expedition to the Borders (*ADCP*: 173, 285–6, 403–4, 406). He became a lord of session, a member of the privy council, a justice-depute and a senator of the College of Justice. As justice-depute he was involved in the persecution of protestants (*ADCP*: 368, 518, 597; *RMS* II No. 4099; Calderwood 1849: I. 171, 175, 263, 268). In 1540–1 he led an embassy to Emperor Charles V stopping off en route to visit Henry VIII (Hannay 1954: 415, 418). Those mentioned in his letter of respite on this occasion included many of his Angus tenants but Finlay Campbell of Corswell topped the list and a number of Galloway men were included therein (*RSS* II No. 3666).

John's impressive services received suitable reward. He already held through marriage the barony of Lundie at the head of the Dichty some nine miles northwest of Dundee. In the course of his career he received grants of Tealing, Balgray, Balcalk, Balkello, Shielhill, Pethcammo and Polgavy, extending in a band east of Lundie and north of Dundee (*RSS* II No. 2405; *RMS* 1513–1546, No. 2621). John was one of

those, Argyll was another, who solemnly swore in 1528 never to take the part of Archibald Douglas the disgraced Earl of Angus (*ADCP*: 290). His pragmatism was rewarded with the acquisition of some of the forfeited Angus estates. By the date of John's death in 1562 or 1563 (*RSS* V No. 1252) the Campbell presence was well and truly established in Angus. Throughout his life he retained close contact with his clansmen, being regarded himself as one of the most prominent of the name. There is some evidence that his son John first married a daughter of Finaly Campbell of Corswell in Galloway, the family to which Bishop John Carswell in all probability belonged (Meek and Kirk 1973: 9; Matheson 1959: 183). In 1565 Jane Campbell 'dochter to John Campbell of Lundie oy and ane of the heirs of umquhile Finlay Campbell of Corswell' married George Kennedy, flagrantly disregarding those who had the gift of her marriage (*RPC* I: 326–7). The first Campbell of Lundie was also called upon to settle disputes between members of the clan. He was named second in a list of ten Campbells charged with arbitration in one of the periodical disputes between Argyll and Duncan Campbell of Glen Orchy: the earl

> hes nocht hed hym to his said cousing Duncane as ane overlord and cheiff aucht to haiff him to his kynnisman and tennand in the defendance of him or otherways and siclyk the said Duncan has nocht had hym to the said earl as ane kynnysman and tennand aucht to haiff him to his cheiff and overlord in his service or ony otherwise (*OPS* II Pt. I: 144–5).

Lundie was similarly involved in a dispute between the Campbells of Ardchattan and Cawdor (Paton 1922: VI. 4). It was the first criterion of clanship to keep contention, whenever possible, within the clan.

But Campbell of Lundie was not the only member of his kindred sinking roots in Angus at this time. In the longer term the strenuous efforts of Donald Campbell, youngest son of Archibald second Earl of Argyll, were of much greater significance. There was some opposition to Donald's appointment as abbot of Cupar in 1526. King James appealed to Pope Clement VII on Donald's behalf describing him as his 'kinsman, member of a powerful house, a young man of excellent character and genuinely interested in the religious life' (Hannay 1954: 199). The estates of Cupar Abbey lay along the banks of the Isla only some six miles west of Lundie: Abbot Donald nakedly exploited them in the interests of advancing his clansmen.

Dr Margaret Sanderson has convincingly demonstrated that the feuing of church lands was much less socially disruptive than has often been claimed. She calculates that on the Cupar Angus estates 57 per cent of grants were made to occupants. Of a total of sixty seven feuars thirty were non-occupant (Sanderson 1973: 121). A survey of the Cupar Register would suggest that the Campbells operated a two-stage process. Firstly Campbells were brought in as tenants paying tack-duties, presumably displacing others. They were thus the sitting tenants when feuing took place. To take examples cited by Dr Sanderson, lands of Cupar Grange 'which between 1542 and 1558 had been leased to 14 tenants for 19 years and to 7 tenants for life were feued en bloc to John Campbell of Skippinch in 1560'. The same year the lands of Cambock

previously leased to eight tenants were feued to Argyll (Sanderson 1973: 129). She notes that during the abbacy of Donald Campbell 'there was a definite trend towards stabilisation in the pattern of landholding' (Sanderson 1974: 34). It could be added that much of that trend favoured the *Sliochd Diarmaid*, not infrequently some of its humblest members, as when Thomas Campbell and his wife Besse Barnye received a tack of Kethick or Andrew Campbell and his spouse received Chapeltoun (Rogers 1880: II. 46–7, 60). Andrew's brother John was given a third part of Owar Muretoun (*op.cit*: 67). There is likely evidence of a lease to a Campbell bastard when the 'auchtane pairt of the west syde of Balbrogy was rented to Katryne Cryste relict of the late Johann Hetoun and to Johann Campbell hir soun whom failing to William Hetoun, son of the late Johann Hetoun' (*op.cit*: 62).

Abbot Donald had at least five other children who received lands carved out of the abbey estates. One of these, Master David, was bailie of Cupar; he held lands in different parts of the abbey's holdings. He took his style from Denheid but he was also granted the teinds of Glen Isla and the lands of Persie next door to Cortachy. By 1557 Master David had four 'sons of law' which shows how the brood of Abbot Donald was multiplying. Donald granted other lands in the barony of Glen Isla to Master Nicholas Campbell, Dean of Lismore, whom failing to David of Denheid, whom failing to David's sister Margaret (*RSS* V No. 1650). Another son, Colin, received the tack of Crunan and it was probably a grandson, John, who was granted Soutarhous of Kethick (Rogers 1880: II. 120, 137). In some interesting tacks the recipient was not a Campbell himself but he had a Campbell wife, for example Donald Ogilvie who married Donald's daughter Margaret (*op.cit*: 104, 113, 141). Nor were Campbells at some remove from Cupar forgotten. Tacks were granted to Archibald Campbell burgess of Dundee and to John of Causaend. Argyll and Skippinch have already been mentioned. There was a tack to John, son of Robert burgess of Ayr, so the 'English Campbells' of Ayrshire were not forgotten either (*RMS* IV No. 1779).

Abbot Donald was a regular attender at Parliament. He became one of the lords of the articles, a senator of the College of Justice and, briefly, keeper of the privy seal. Just before the Reformation he was an unsuccessful candidate for the bishopric of Brechin. To expedite the bulls he paid twelve hundred crowns of gold to Timothy Cagnioli at Rome. Bonds for other sums expended in the same connection were witnessed by Campbell of Lundie and Colin of Denheid. Throughout his life he was closely involved in clan affairs as arbitrator and as a witness to the charters of the earls and of Campbell of Cawdor (Rogers 1880: I. 100–13). Donald died in 1562. He could truly be described as the father of the Angus Campbells and he might have found a fitting epitaph in the book of Genesis—'I will give unto thee and to thy seed after thee the land wherein thou art a stranger.' Yet there was at least one other luminary of Clan Duibhne upon whom the good Lord smiled.

In 1566 Alexander, a younger brother of Campbell of Ardkinglass, became Bishop

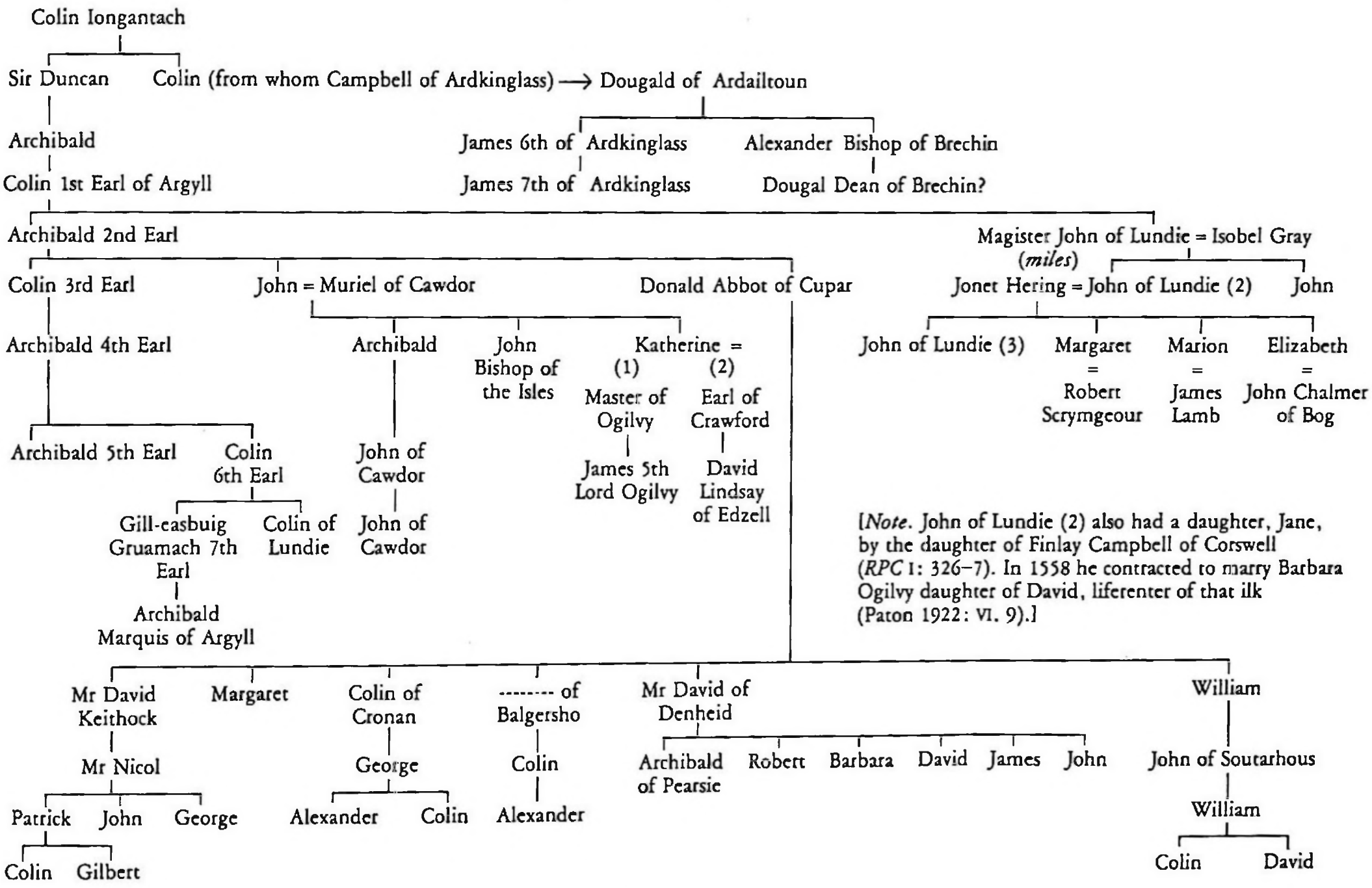
of Brechin '*cum potestate sibi, dare et disponere singula beneficia, tam spirtualitatis quam temporalitatis dignitatis*' (*RSS* V No. 2806). That same year he granted a large tract of diocesan land to Archibald Earl of Argyll (*RMS* IV No. 1764). Alexander and Argyll drew up a contract with an Edinburgh burgess in 1569 for the sale of some of the victual of the bishopric (Paton 1922: VI 20). The bishop was a mere boy when first appointed, going off to study at Geneva in the mid 1570s. Although all commentators have followed Keith who claimed that Alexander 'alienated most of the tithe lands and tithes of the bishopric to Argyll' (Keith 1824: 166) there is not a great deal of evidence to support this contention. It cannot be denied, however, that whenever possible he favoured his clansmen. One Dougal Campbell, possibly another member of the Ardkinglass family, became Dean of Brechin in 1581 (Watt 1969: 45).

Time would show that the men of Angus did not view this Campbell-planting with equanimity. The second half of the sixteenth century was a great period of Campbell expansion. Through their acquisitions in Angus they managed to create a Campbell corridor extending from Dundee on the east coast up the Isla to the Angus glens which by the way of Glen Shee gave them access to their empire in the west. The MacCombies of Glen Shee, a branch of Clan MacIntosh, seem to have been allies of the Campbells though the evidence is rather scanty (Smith 1887: 478). It is known that a descendant of Abbot Donald became the wife of John MacCombie or M'Comie Mor in the earlier seventeenth century (Smith 1887: 47–8). It is just conceivable also that the MacCombies considered themselves subject to agreements drawn up between Cawdor and the chief of MacIntosh in the sixteenth century (Innes 1859: 188–9).

The fortunes of the Lundie kindred began to dip during the lifetime of the second laird. He received the gift of nonentry of the lands of Pittedie and others in the barony of Kinghorn on the death of John Lord Glamis as well as confirmations of his Angus estates (Paton 1922: VI. 19; *RSS* V: 3006–7). Nonetheless it is clear that John experienced acute financial difficulties before his death in 1577 (Paton 1922: VI. 33). He failed to pay feu-fermes and other duties with the consequence that his lands with the exception of Lundie were granted in 1576 to Thomas Lyon, Master of Glamis (*RSS* VII Nos. 744, 760). The third John Campbell of Lundie was a minor who with the consent of his curators, Argyll and Campbell of Lawers, agreed to relieve Alexander Bishop of Brechin of cautionry of two hundred marks (Paton 1922: VI. 34). This Lundie was to come to a sticky end in October 1581 though the episode, alas, is not well documented. In 1583 David Lindsay of Edzell with some members of his family and a number of others was granted remission for the killing of John Campbell of Lundie, and the mutilation of one John Lyon of Cossins who was wounded in the knee (*RMS* V No. 602).

David of Edzell was the son of the ninth Earl of Crawford. The former's nephew, the eleventh earl, rekindled the long-standing feud with the House of Glamis. As one commentator beautifully described their relationship 'David Lindsay Earl of Crawford

THE ANGUS CAMPBELLS



[*Note*. John of Lundie (2) also had a daughter, Jane, by the daughter of Finlay Campbell of Corswell (*RPC* 1: 326–7). In 1558 he contracted to marry Barbara Ogilvy daughter of David, liferenter of that ilk (Paton 1922: VI. 9).]

and John Lyon, Lord Glamis, Chancellor—men whose birth made them move in a high sphere—were dissonants not consonants' (Lindsay 1849: I. 297). On 17 March 1579 the two men met by chance in School-House Wynd, Stirling. There, in what Spottiswood euphemistically termed an 'unhappie accident,' Glamis was shot through the head. The victim's uncle, Thomas, Master of Glamis who had been granted the Lundie estates, was intent upon revenge (Lindsay 1849: I. 298). In August 1579 the Earl of Crawford told a correspondent that

> we ar suirly informit that Jhone Lyoun, younger of Cossinis is presently in Strivling awaiting on Mr. Thomas Lyonis ordors, and specially in our contrair quha come with the maistir off Glammis as ane of the mest speciall interpryssouris to haiff murderit ws in our bed, quhilk wes fer by his dewetie.

Crawford was particularly incensed because

> the maist parte of his lewing that presently he hes to leiff upoun he halds off ws in wedset under redemption, quhilk we as yit wald nathir redeme our selff nor yit mak na uther assigney thairto, albeit that syndry times we haiff fund occasioun mowit be him to haiff done wtherwayis and the small dewety that he aucht to pay yeirly to ws we could nevir obtene thankfull payment thairoff.

The prudent earl thus had the necessary excuse, which he duly used, to put Cossins to the horn (*Spald. Misc.* IV: 62). John Lyon was outlawed at about the same time as he allied with Campbell of Lundie and in June 1581 he was escheated (Ross 1901: 34–5). There was a further connection however for John Lyon's wife was Margaret Drummond widow of John Campbell of Murthlie, a Perthshire estate also carved out of the lands of Cupar abbey. That lady, with the consent of Lyon, granted a tack of Murthlie to Campbell of Lawers in 1577 (Ross 1901: 34). It would therefore appear that Campbell of Lundie lost his life as a by-product of the Lindsay-Glamis feud when John Lyon's private disagreements with the Earl of Crawford led him to seek Campbell backing. The Campbells, characteristically, were not about to let the slaughter pass unavenged.

Shortly after the killing, John Lindsay, Lord Menmuir, informed his brother, David of Edzell, that

> the malicious information of the Laird of Ardkinglass, the only guide of the Earl of Argyll, hes so movit the said earl that for revenge of the . . . slaughter of Lundy . . . there is ane enterprise devisit to harry and spoil all Glenesk be the means of MacGregor with the number of 300 haberschons [breastplates], 200 bowmen, and ane hundreth hackbutters, whilk the earl will oversee.

He suggested that although David had perhaps received no advance warning of such an expedition 'yet ye might think the same very likely gif ye wald consider the malice of all Highlandmen, the guiding whilk Ardkinglass hes of the earl, how easily they may perform the said enterprise and how glad thieves and limmers will be to be imployit in sic ane turn'. He advised him to keep a close watch on the country and to

make overtures to such chiefs as Lovat, MacIntosh, and Farquharson 'that ye may be quietly advertisit gif ony thing be meanit against you and that ye may knaw the Earl's mind sa far as ye may'. Menmuir told Edzell that all this trouble stemmed from his rash consenting to assist the Earl of Crawford 'to do ane manifest wrang', namely the slaughter of Lundie, which terminology may imply that Lundie was still a minor at the time of his death. Menmuir concluded by eloquently urging reason in a world of chaos:

> Consider how troublesome is the warld, how easilie ony man who is stronger nor ye at ane time may do you ane wrang, and how little justice there is in the country for the repairing thereof. Therefore I wald desire you above all things to travail to live in peace and concord with all men, otherways your life and pairt of the warld shall be very unpleasant, ever in fear, danger and trouble, whereof the maist pairt of them who calls themselves your friends wald be glad (Lindsay 1849: I. 339–41).

Throughout the letter there are references to 'the bishop . . . ane of Argyll's principal friends, albeit as it were a stranger in this country'. Lord Lindsay, who edited the letter, erroneously identified the bishop as John Campbell of the Isles whereas the correct identification is obviously Alexander Bishop of Brechin. In the event the predicted invasion of Glen Esk never took place. Lindsay was granted remission for the killing, and Colin sixth Earl of Argyll was preoccupied elsewhere. The question naturally arises, however, of whether the slaying of Campbell of Lundie had any connection with the Campbell-Ogilvie feud.

In the first place many of the Lindsays, like many of the Ogilvies, were recusants. But there was a much closer connection, for James fifth Lord Ogilvie and David Lindsay of Edzell were sons of the same mother—Katherine Campbell, daughter of the first John Campbell of Cawdor. She was first married to the Master of Ogilvie and then after her husband was killed at Pinkie, she became Countess of Crawford. She was widely regarded as a most noble lady. 'She is the earliest that I can point to', wrote Lord Lindsay, 'in the dim twilight of the past, of a line of excellent mothers whom it has been my delight to recognise among our female ancestry, to whose early culture and watchful love many a virtue and many a blessing with which our forefathers have been gifted are under God attributable' (Lindsay 1849: I. 338). Throughout her life she was fiercely loyal to both her sons. As early as 1539 Abbot Donald Campbell granted the lands of Glentullacht and Auchindorye to James Master of Ogilvie and his spouse, Katherine Campbell. In the same year Ogilvie received a grant of the bailiary of Cupar Abbey (Rogers 1880: II. 1–3). It was doubtless through Katherine's influence that Donald sold Meikle Fortar to Lord Ogilvie in 1557. Two years later Ogilvie purchased the rest of the Fortar lands as far north as the Tulchan. About this time he built the castle at Fortar which still stands to guard the pass through to Glen Shee (Rogers 1880: II. 175–6). So long as Lady Katherine lived (she died in 1578) she was able to bind the Ogilvies to the Campbell interest. Nonetheless there was ample opportunity for friction between the two

families. Ogilvie began to instal his kinsman at the head of Glen Isla, so displacing members of the Clan MacKerrow who had long enjoyed the protection of the Campbells. In 1574 Colin Earl of Argyll and Alexander Bishop of Brechin entered into a contract with James Lord Ogilvie granting the lands of Farnwell in feu to the latter for twenty thousand marks to be paid with an infeftment of Bolshan in security thereof (Paton 1922: VI. 20, 37; VIII. 112, 172). Ogilvie's failure to pay up led to protracted litigation over this curious transaction which would have given the Campbells possession of a fortress only five miles from their original fourteenth-century Angus holding at Redcastle. Fear of losing Bolshan seems to have kept Ogilvie out of the Campbell-Lindsay feud although David of Edzell obviously expected his assistance (Lindsay 1849: I. 342n). An action over the Farnwell lands was raised in Argyll's name in July 1590 (Paton 1922: VIII. 112).

There was at least one other matter which gave Ogilvie cause for concern. The slaughtered John Campbell of Lundie died without heirs of his own body though he did have three older married sisters. On 11 and 13 April 1583 Colin Earl of Argyll entered into contracts dated at Castle Campbell and at Forfar with Margaret, Marion and Elizabeth, daughters and apparent heirs of the deceased John Campbell of Lundie (d. 1577) and sisters and apparent heirs of the deceased (*i.e.* slaughtered) John Campbell of Lundie 'for entering their portions as heirs to their said brother and father . . . and thereafter infefting the said earl and his countess and Colin Campbell their second son for payment of certain sums of money' (Paton 1922: VI. 42; VIII. 128; *RMS* V No. 574). The witnesses were James Campbell of Ardkinglass and Alexander Bishop of Brechin. Thus Colin, younger brother of Gill-easbuig Gruamach became Colin Campbell of Lundie and the comital presence was truly established in Angus for the first time. The importance of the Angus holdings in Campbell eyes requires no greater or more significant corroboration. Lundie's slaughter had brought the boar to the heart of Angus. The sixth earl died in 1584 and affairs were quiet, whatever Ogilvie's private apprehensions, until Gill-easbuig's curators re-opened the Farnwell-Bolshan transaction in 1590. All the old anxieties of the Angusians now erupted—the antipathy towards the Lundie branch, hatred of Bishop Alexander's alienations, and the fear of the ever-increasing bastard brood of Abbot Donald. A letter of 1591 links all these factors together and specifies the immediate origins of the Campbell-Ogilvie feud:

> Upon controversy betwixt the Earl of Argyll and Lord Ogilvie for the 'seignorie' of Cupar Abbey the Master of Ogilvie, understanding that the Dean of Brechin was keeping the court for Argyll, did take and ruffle the Dean with such disgrace that some of Argyll's men killed 15 or 16 of Ogilvie's tenants. . . . In revenge the Master of Ogilvie slew four of the Campbells dwelling near him and ever ready at his commandment (*CSP Scot.* X: 566–7).

The evidence however, suggests that Ogilvie's slaughter of the Angus Campbells preceded the Campbell invasion: the Ogilvies were certainly adjudged the guilty party since on 11 August Lord James and his allies had solemnly subscribed a bond of

caution at Bolshan promising that they would not harm a list of Campbells. Those mentioned were Bishop Alexander of Brechin, George Campbell of Crunan, Archibald of Persie, George in Lundie, David in Denheid and his brother Archibald, Patrick of Kethick and Colin in Glen Isla. The three Campbells named in the bond who were murdered exactly a week later were Robert in Mylnhorne, Thomas portioner of Kethick and William in Soutarhouse. The other Campbell victim of the Ogilvies, John of Murestoun, was not included in the bond (*RCP* IV: 675). Four days later Bishop Alexander put up caution of £1,000 against his harming Lord Ogilvie, the Master or Ogilvie of Craig (*RPC* IV: 671).

As so often in these feuds those who suffered most belonged to neither of the warring clans. The Campbells were particularly incensed by Ogilvie's erection of Fortar Castle which neatly plugged the routes to north and west. William MacNicol, whose forbears are recorded in Glen Isla in 1443 and whose family had held the office of *studarius* from the abbots of Cupar since 1470, complained that in 1591 he was 'spuilzied' of all his goods, sheep, cattle and horses with the exception of seventy cows which he sent to Glen Shee for safety. Campbell of Glen Lyon with forty 'broken men' drove off the seventy cattle 'quhairthrow (William) being sumtymes ane honest houshaldir and interenyair of ane grite household and familie is now brocht to miserie and povirtie'. The unfortunate MacNicol was unsuccessfully claiming restitution fourteen years later (*RPC* IV: 688; Tod 1929: 18).

The Ogilvies were originally sentenced to banishment for their part in the affair but the feud was finally halted through an ingenious variation upon shuttle diplomacy. Lord Ogilvie was charged with reconciling Crawford and the Master of Glamis while Glamis was commissioned to reconcile Ogilvie and Argyll (*CSP Scot* X: 592–3). For years to come the Ogilvies and their tenants were to petition for compensation for the raid of 1591, certainly long enough to keep the Campbell incursion fresh in the memory and sharp in the telling.

The fears of the men of Angus in 1640 were fully justified. Argyll took Airlie while his Campbells pillaged Alyth, Lintrathen, Glen Isla and Cortachy. Crops, houses and standing timber were burned. There was not left 'in all the lands a cock to crow day' (*CSPD* 1640–1: 53). It was estimated that £7,000 worth of damage was done and the Earl of Airlie received no rents for fourteen months (Cowan 1977: 95–6). One hostile and not altogether reliable account states that Argyll at the demolishing of Airlie 'shewed himself so extremlye earnest, that he was seen tacking a hammer in his hande and knocking downe the hewed work of the doors and windows, till he did sweate for heate at his worke' (Gordon 1841: III. 165). Before leaving the district he ordered that Fortar should also be destroyed. 'If ye find it will be langsome,' he wrote, 'ye shall fyre it weill, that so it may be destroyed. Bot yee neid not to lett know that ye have directions from me to fyre it' (*AT* July 1640). It is tempting to distinguish a near pathological element in Argyll's behaviour or at least a degree of obsession. The wars to come were to be wars of attrition, the grinding down of the enemy's resources, the

destruction of his sustenance and the very annihilation of his means of existence. Montrose was just as guilty in this respect as his great rival. Argyll was also motivated by religious conviction. He deplored, despised and above all feared the Catholicism of the Ogilvies. He believed that the tentacles of Anti-Christ had seized a grip on the Angus Braes. He was also a prisoner of History and this was what was, and always had been, the most diabolical aspect of 'the devilish custom of deadly feid'. Individuals and families found themselves entrapped by mindless hatreds whose origins they could barely discern and whose quenching they seldom bothered to contemplate. Throughout the sixteenth century the Ogilvies and the Lindsays were acutely aware that those Campbells taking root in Angus were simply the advance troops of a mighty army in the west. Equally *MacCailein Mór* judged it essential to strike first before the enemies of Clan Campbell could unite against the Covenant.

REFERENCES

ADCP
1932 *Acts of the Lords of Council in Public Affairs 1501–1554*, ed. R. K. Hannay. Edinburgh.

AT
Argyll Transcripts. Inveraray Castle.

BOECE, HECTOR
1527 *Scotorum Historiae a Prima Gentis*. Paris.

CALDERWOOD, DAVID
1849 *The History of the Kirk of Scotland*, ed. T. Thomson. 7 vols. Edinburgh.

CHILD, F. J.
1882–1898 *The English and Scottish Popular Ballads*. 5 vols. New York.

COWAN, EDWARD J.
1977 *Montrose For Covenant and King*. London.
1979 'Clanship, Kinship and the Campbell Acquisition of Islay.' *Scottish Historical Review* LVIII: 132–57.
1980 'Calvinism and the Survival of Folk or "Deil Stick Da Minister" ', in *The People's Past*, ed. Edward J. Cowan, Edinburgh. Pp. 32–57.

CSPD
1858–76 *Calendar of State Papers Domestic. Charles I*. 25 vols, London.

CSP SCOT.
1898–1969 *Calendar of the State Papers Relating to Scotland and Mary, Queen of Scots 1547–1603*, edd. J. Bain and others. 12 vols. Edinburgh.

DURKAN, JOHN
1980 'Giovanni Ferrerio, Gesner and French Affairs.' *Bibliothèque d'Humanisme et Renaissance* XIII: 349–360.

EXCH. R
1878–1908 *The Exchequer Rolls of Scotland*, edd. J. Stuart and others. 23 vols. Edinburgh.

GORDON, JAMES
1841 *History of Scots Affairs from MDCXXXVII to MDCXLI*. 3 vols. Spalding Club, Aberdeen.

HANNAY, ROBERT KERR
1954 *The Letters of James V*, ed. Denys Hay. Edinburgh.

HMC
1870– *Reports of the Royal Commission on Historical Manuscripts*. London.

INNES, C.
1859 *The Book of the Thanes of Cawdor.* Spalding Club, Aberdeen.
KEITH, ROBERT
1824 *An Historical Catalogue of the Scottish Bishops down to the year 1688.* Edinburgh.
LINDSAY, LORD
1849 *Lives of the Lindsays or a Memoir of the House of Crawford and Balcarres.* 2 vols. London.
MATHESON, ANGUS
1959 'Bishop Carswell.' *Transactions of the Gaelic Society of Inverness* XLII: 182–205.
MEEK, DONALD E. and KIRK, JAMES
1973 'John Carswell, Superintendent of Argyll: a Reassessment.' *Scottish Church History Society Records* XIX, Pt. I: 1–22.
NAPIER, MARK
1848 *Memorials of Montrose and his Times.* 2 vols. Edinburgh.
OPS
1855 *Origines Parochiales Scotia.* Bannatyne Club, Glasgow.
PATON, HENRY
1913–22 *The Clan Campbell.* 8 vols. Edinburgh.
RMS
1882–1914 *Registrum Magni Sigilli Regum Scotorum,* edd. J. M. Thomson and others. Edinburgh.
ROGERS, CHARLES
1880 *Rental Book of the Cistercian Abbey of Cupar Angus.* 2 vols. London.
ROSS, ANDREW
1901 *The Lyons of Cossins and Wester Ogil Cadets of Glamis.* Edinburgh.
RPC
1877–1898 *Register of the Privy Council of Scotland.* 1st Series, edd. J. H. Burton and others. 14 vols. Edinburgh.
RSS
1908–66 *Registrum Secreti Sigilli Scotorum,* edd. H. Livingston and others. 7 vols. Edinburgh.
SANDERSON, MARGARET
1972 'Kirkmen and their Tenants in the Era of Reformation.' *Scottish Church History Society Records* XVIII, Pt. I: 26–42.
1973 'The Feuars of Kirklands,' *Scottish Historical Review* LII: 117–36.
SMITH, WILLIAM M.
1887 *Memoir of the Family of M'Combie.* Edinburgh and London.
SP
1904–14 *The Scots Peerage,* ed. Sir J. B. Paul. 9 vols. Edinburgh.
SPALD. MISC.
1849 *The Miscellany of the Spalding Club* IV. Aberdeen.
TA
1877–1970 *Accounts of the Lord High Treasurer of Scotland.* 12 vols. Edinburgh.
TOD, A
1929 *The MacNicols of Glen Isla.* Typescript, Forfar Public Library.
WARDEN, A. J.
1881 *Angus or Forfarshire: The Land and People.* 5 vols. Dundee.
WATT, D. E. R.
1969 *Fasti Ecclesiae Scoticanae Medii Aevi ad annum 1638.* St Andrews.
WILSON, WILLIAM
1924 *The House of Airlie.* 2 vols. London.
WORMALD, JENNY
1980 'Bloodfeud, Kindred and Government in Early Modern Scotland.' *Past and Present* 87: 54–97.

Shielings of the Isle of Rum

JOHN A. LOVE

[The literature of shielings (Gael. sing. *àirigh*) has burgeoned recently, particularly in Scotland where their late survival has provided rich material for social and comparative ethnographical studies. Following certain 'pioneer' accounts such as that by Whitaker in Scottish Studies (1959: 167–88), Professor Ronald Miller's paper 'Land use by Summer Shielings' (1967: 193–221) discussed the motives for such annual movement of settled farm populations, and described the ruined shieling huts characteristic of particular Scottish regions, including Rum.[1]

The author of the following paper has been based in Rum for six years, and in the course of fieldwork has been able to increase the total of identifiable shieling ruins (*bothan àirigh*). He relates these to the ecological background of the island. Edd.]

The ruined shieling huts of Rum are doubtless fairly typical of those found anywhere in the Highlands except that we know they abruptly fell into disuse when the island was cleared of its entire human population (some 350 souls) in 1826–28. Thereafter a few shepherds were employed to tend the 8000 sheep brought in by the new grazing tenant (Banks 1976: 83–84; Love 1980a: 30). There being no phase of intensive crofting as such, the ancient runrig pattern of settlement with its groups of blackhouses and dykes (now ruinous) and fields of lazybeds have remained, unobscured by later developments.

The various 1:10 000 maps of Rum locate no more than a hundred or so shieling huts. But one or two of these are in fact ruined blackhouses, while others, not marked as shieling huts, have been incorporated into the complex system of dykes. Miller (1967: 212) examined only 140 shieling huts. Obviously a more thorough survey is desirable. The winter months prove the most productive for this purpose, when the vegetation, cropped down by the red deer, has died back to expose more clearly the shieling structures. By first visiting those already marked on maps I soon began to recognise situations where others may be found. I marked each hut on a 1:10 000 map and made rough diagrams of its structure in the field. I subsequently found that I could assign each to one of three basic, easily recognisable structural forms. So far nearly 380 shieling huts have been located, permitting useful conclusions to be drawn as to their distribution.

Identification of huts, and size of groups

Shieling huts or bothans were simple dwellings where people, usually the women and children, would spend several months each summer tending their stock, milking, and

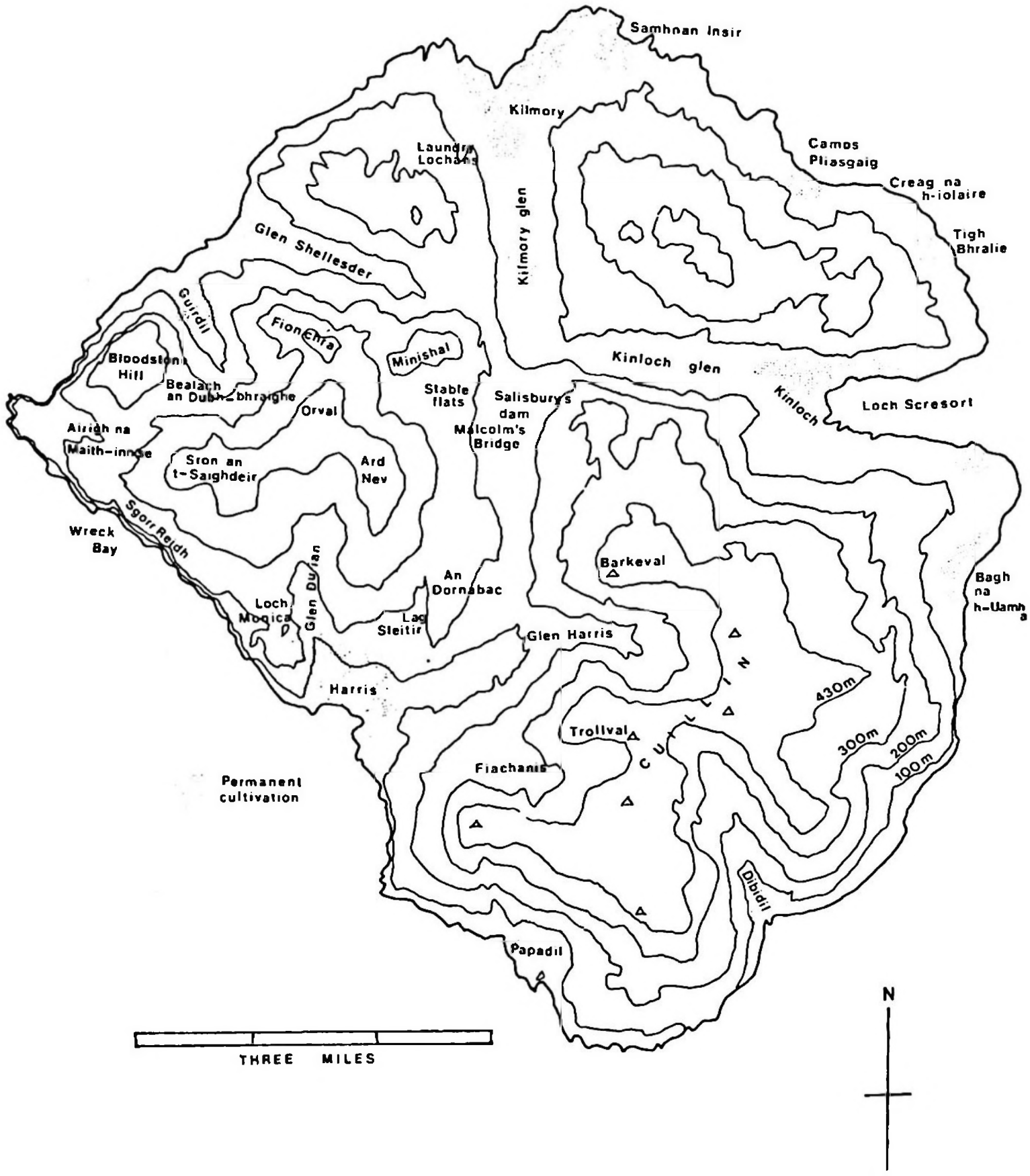


Fig. 1 Map of the Isle of Rum showing areas of permanent settlement and certain places mentioned in the text.

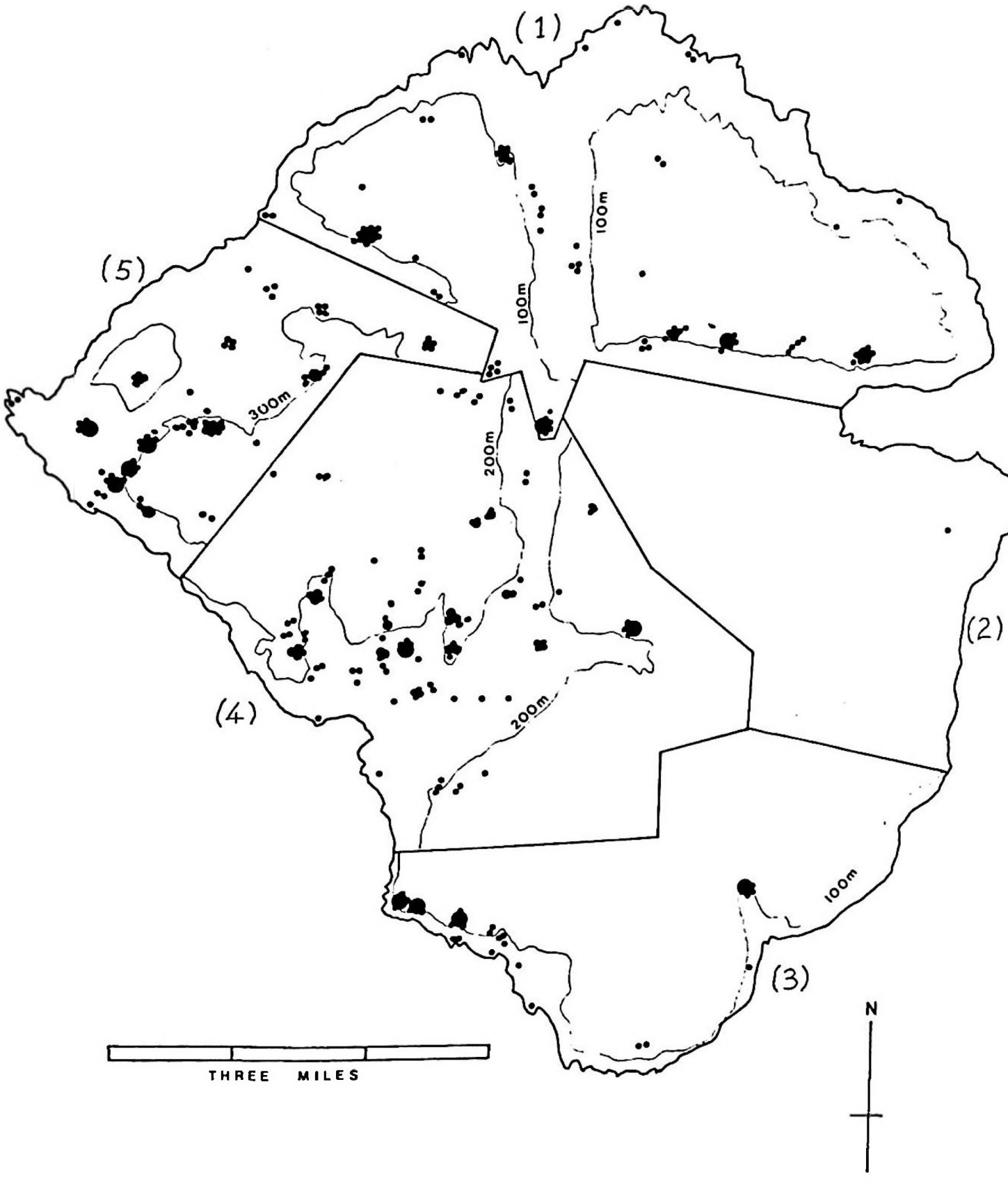


Fig. 2 Distribution of shieling huts (in each of five zones, with appropriate contours added).

making butter and cheese. Miller (1967: 193–221) and Fenton (1976: 124–136) amongst others, provide useful and informative discussions on the practice. As we shall see, many of the huts had only the foundation made of stone, the rest being built up probably with turf overlying a framework of timber. Such huts rapidly decayed over winter and had to be repaired annually. Indeed in some parts of the Hebrides where timber was scarce the roof beams were taken home for storage at the end of each summer (Mould 1953).

It is not surprising, therefore that no shieling huts on Rum now remain intact. Even those roofed completely with stone would in time collapse in winter storms or under the feet of grazing animals. On the well- vegetated slopes of Fionchra there is an acute shortage of stone: the huts there lack even the stone foundation and must have been built entirely of turf. Now only faint traces remain. One group of ruined huts was

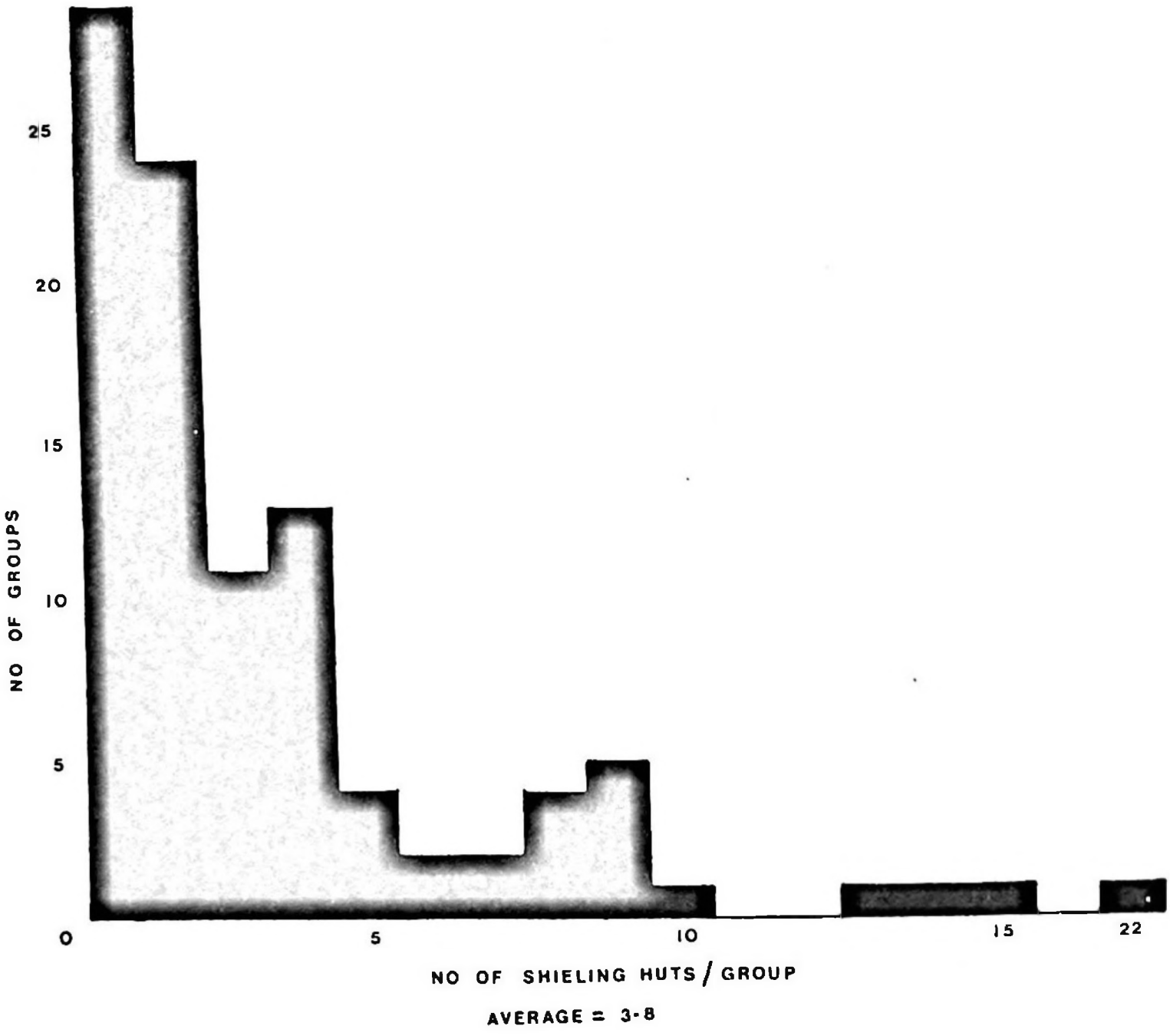


Fig. 3 Size of groups of shieling huts.

temporarily flooded about 1850 when the ill-fated Salisbury's Dam was built: now their ruins are overgrown and barely discernible. A small proportion of the huts of Rum have been re-designed by later shepherds to make temporary shelters for themselves or for ewes with fostered lambs. In modern times too some huts may have provided material for road construction, while as recently as 1977 one ruin was removed to repair a bridle path in Glen Guirdil. Even before the clearances on the island some huts would have been demolished so that their stones could be used to build new ones, dykes or even a house.

Difficulties of identification are increased by the presence of stone structures which may predate the shielings. Some ruins at Harris and on the north shore of Loch Scresort may prove upon excavation to be prehistoric dwellings: all are constructed of beach stones and are now almost totally destroyed. A group on the slopes above Harris bay (NM 344965) show certain affinities to small Bronze Age kerb-cairns in Argyll which have been described by Ritchie *et al* (1974–75: 30–33). A curious group of stone ruins lies on the shore east of Samhnan Insir (see fig. 9 H) which Miller (1967: 212) has interpreted as fishermens' bothies: they may however warrant detailed examination; but they have not been included in the present analysis. Finally, some stone walls found at shieling grounds may be too large to have been dwellings and may instead have served as enclosures for stock, or fodder.

A total of 377 shieling huts have been located for inclusion in this analysis (fig. 2), doubtless others remain to be discovered. Not all these huts are likely to have been in use at the same period: the peak population in Rum was only 450. Some huts may have fallen early into disuse; while others, at lower altitudes, might only have been inhabited at the beginning of the summer before conditions permitted stock to be moved to higher grazings (in this way making most use possible of all suitable vegetation).

A distance of 100 metres has been used to differentiate between groups of huts: 99 such groups have been distinguished. About 80 of the shieling huts seem to have been built either singly or in pairs (fig. 3). Clusters of four, or of eight or nine, huts are not uncommon. The largest group (NM 310988) consists of 22 ruins: a long line of huts, joined together by a complexity of walls and enclosures, which runs along the edge of an extensive scree slope at an altitude of 300 metres above sea-level near Airigh na Maith-innse ('the shieling of the good grazing'). The average number of huts in a group is 3.8.

Distribution

About twelve areas of permanent settlement can be recognised on Rum: all are coastal (fig. 1). Presumably the people at each township located their shielings within easy reach: none of the huts are more than 2½ miles from permanent habitation. But it is no longer possible to say which huts belonged to which settlement. For the purposes

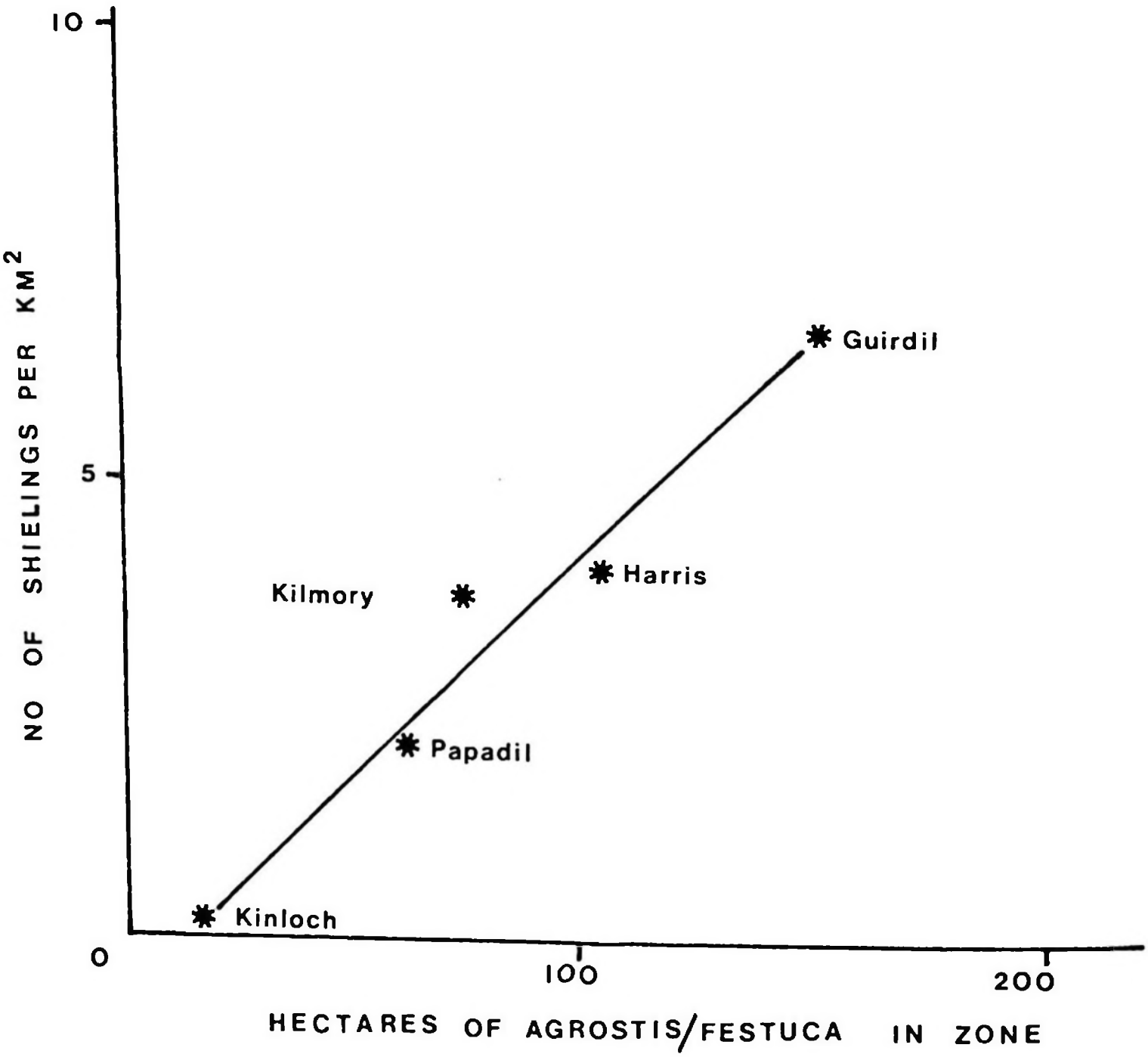


Fig. 4 Density of shieling huts in relation to amount of *Agrostis/Festuca* grassland in each zone.

of this analysis five zones have been delineated, not all of equal size. Their boundaries take into consideration both geology and relief. They would also seem to be appropriate to the pattern of settlement. Those zones with the richest vegetation (represented nowadays by *Agrostis/Festuca* grassland) would be likely to have a larger human population which would require more shielings. (Figure 4 demonstrates a direct relationship between the area of *Agrostis/Festuca* and the number of huts in each zone).

(1) Kilmory (103 shieling huts). This takes Glen Shellesder and Kinloch Glen as its southern boundary.

The whole area of about 28 square kilometres is mainly of Torridonian sandstone, with wet heath and blanket bog the predominant vegetation types but with scattered patches of heather (*Calluna*). Kilmory Glen bisects the zone and where it meets the sea has an extensive tract of cultivable land with twenty or so ruined blackhouses. There was another settlement, now almost obscured by the present-day farm and village, around Loch Scresort: part of this is included in the next zone.

(2) Kinloch (1 hut). Again Torridonian sandstone and shale predominate, merging into the ultrabasic igneous rocks of the Rum Cuillin which forms the western boundary. With the exception of some moor-grass (*Molinia*) flushes around Bagh na h-Uamha, the vegetation is mainly wet heath and blanket bog. Montane grassland abounds on the Rum Cuillin, but since it is above 600 metres on steep, rocky ground it is unlikely to have been used by domestic stock to any great extent.

(3) Papadil (35 huts). The vegetation of this southernmost zone is similar, although extensive tracts of herb-rich heath stretch westwards from Papadil. This whole area is very steep however, the only cultivable land being around the loch at Papadil, where there has been a small settlement. Dibidil also has little to attract much farming: it is comprised of sandstone on the lower slopes, with ultrabasic rocks towards the summits.

(4) Harris (124 huts). This is the most extensive of the five sectors, lying to the west of the Cuillin, with Fionchra, Orval and Sron an t-Saighdeir forming the northwest boundary. The vast basin of ultrabasic rock forms a wide plateau of bog and *Schoenus* fen, before sloping down to the herb-rich heaths and *Agrostis/Festuca* grassland of the coast where there was once a large township of thirty or so blackhouses. Neither the rich montane pastures of the Rum Cuillin nor the poor quality *Nardus* grassland on the western hills are very accessible to stock (*Nardus* in any case being comparatively unpalatable to grazing animals: M. E. Ball pers. comm.).

(5) Guirdil (114 huts). This, the smallest and highest zone, is bounded largely by steep, high cliffs, its rich pastures overlying the basalt rocks of Bloodstone Hill, Fionchra and Orval. Its high altitude precludes much permanent settlement except on the coast at Guirdil. Extensive screes of granitic rock form the southern boundary with some *Nardus* heath on the summits.

Rum, with an area of 112 sq. km. has an average of only 3.4 huts per sq. km. : much of the island is however rough hill ground and therefore not suitable for stock rearing. The largest settlement is located at Harris, but the poorer quality ground inland of Kilmory (the second largest township) has almost as many shieling huts. The next largest settlement may have been at Kinloch (though now almost obliterated by later

developments), where most of the shieling grounds were located to the north: only one hut has been found in the Kinloch area south of Loch Scresort. Few people could have lived at Papadil and most of the huts on the steep slopes of this zone are found along the cliff tops close to Harris. Guirdil is the smallest zone but with 114 shieling huts supports by far the highest concentration (6.7 per sq. km.).

Various factors in addition to accessibility and the distribution of population seem to have influenced the location of shieling grounds.

(a) Altitude. In Rum shielings are to be found from sea level to 450 metres: 90 per cent of the huts lie between the 50 and 350 metre contours. The most fertile land occurs at the coast but it was used for cultivation during the summer months, not for stock rearing. It can be seen from figure 5 that shieling huts are most frequently encountered at three distinct altitudes: most at about 100 metres, some at 200, and the remainder at about 300. These correspond to the heights at which most flat land is to be found in each of four zones (fig. 6: Kinloch zone is excluded, as only one shieling hut has been found there). Thus around Kilmory and Papadil most shielings

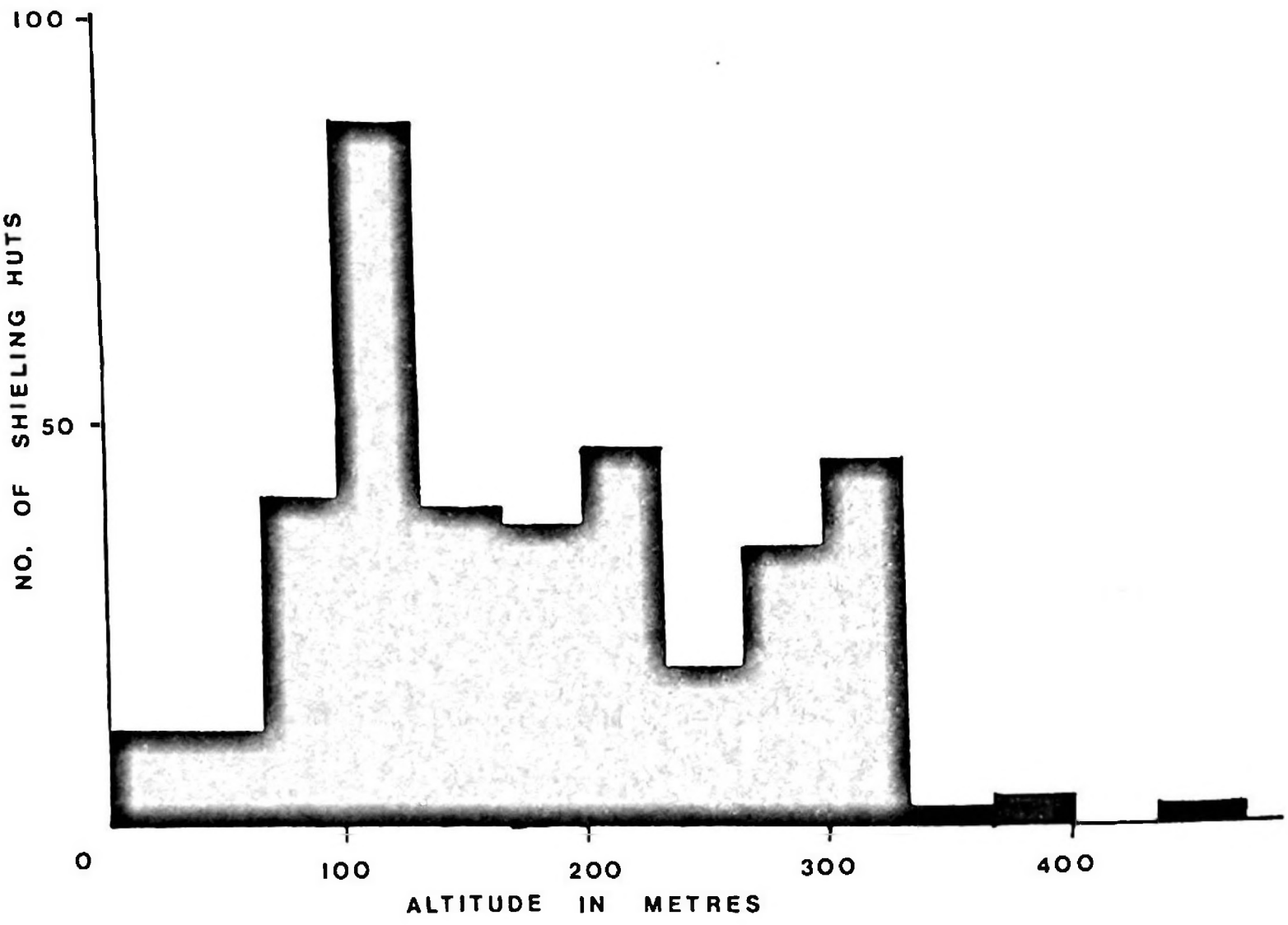


Fig. 5 Altitudinal distribution of shieling huts.

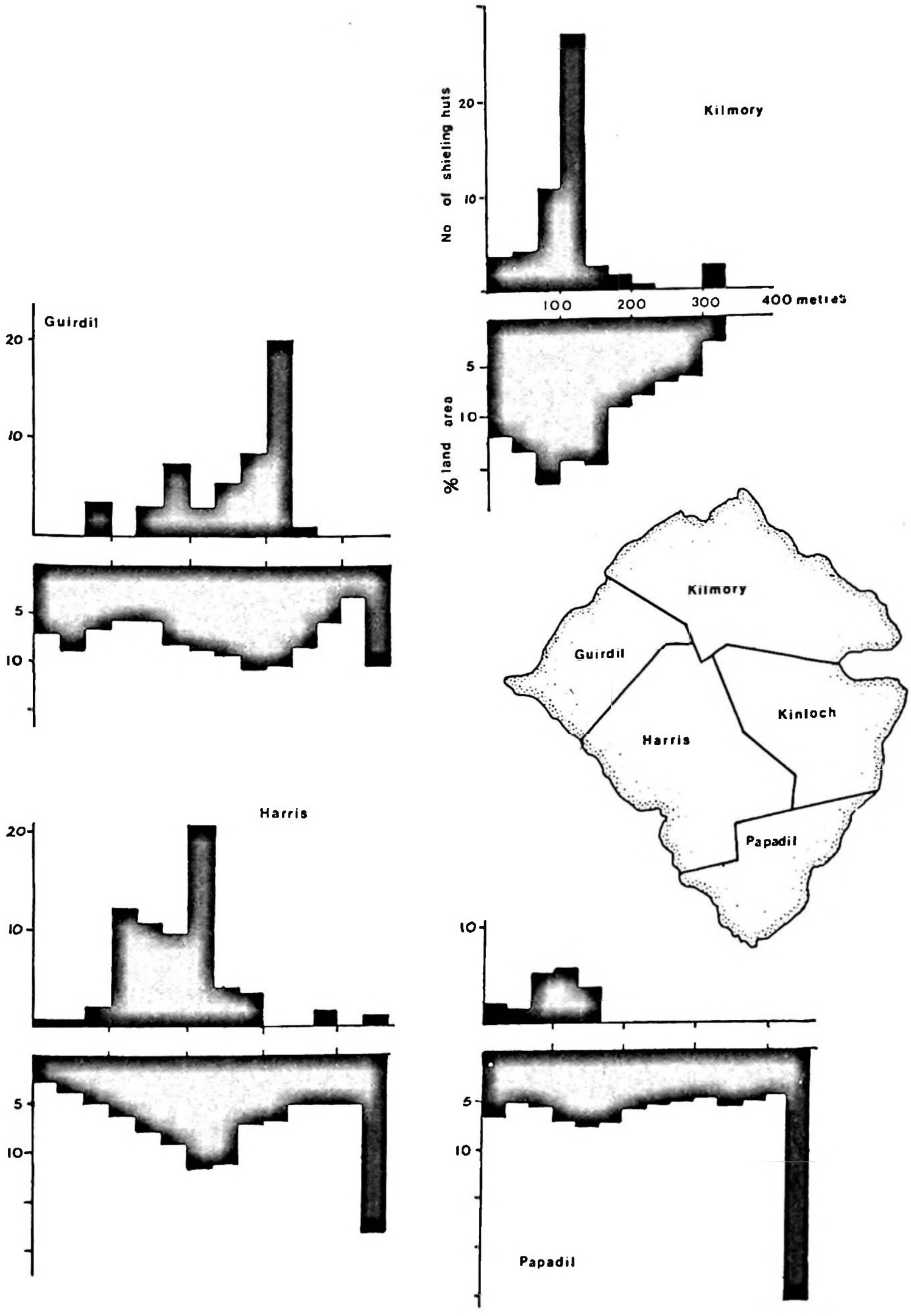


Fig. 6 Altitudinal distribution of shieling huts in relation to land area.

are located around the 100 metre contour: above this altitude the land becomes steep and the quality of vegetation less suitable for grazing. At Harris some huts occur at 100 metres but most lie on the broad shelf of land 200 metres above the sea. In contrast, nearly all the shielings in the Guirdil zone are located on a plateau of fertile land 300 metres above sea level.

(b) Vegetation. The suitability of these flatter areas as shieling grounds is determined by the vegetation. It is convenient that in 1970 Rum's plant communities were mapped by R. C. Ferreira. If we superimpose our shieling locations upon Ferreira's map we find that three plant communities were particularly favoured as shieling grounds—herb-rich heath, *Agrostis/Festuca* grassland, and *Calluna* heath (fig. 7). Other huts are to be found elsewhere, even on bare rock; but often these sites are close to pockets of better pasture.

It may be that the present vegetation cover is not quite the same as that prevailing at the time the shielings were being used, But it will in general reflect the nutrient quality of the soil and the underlying rock. A factor to be considered is that the

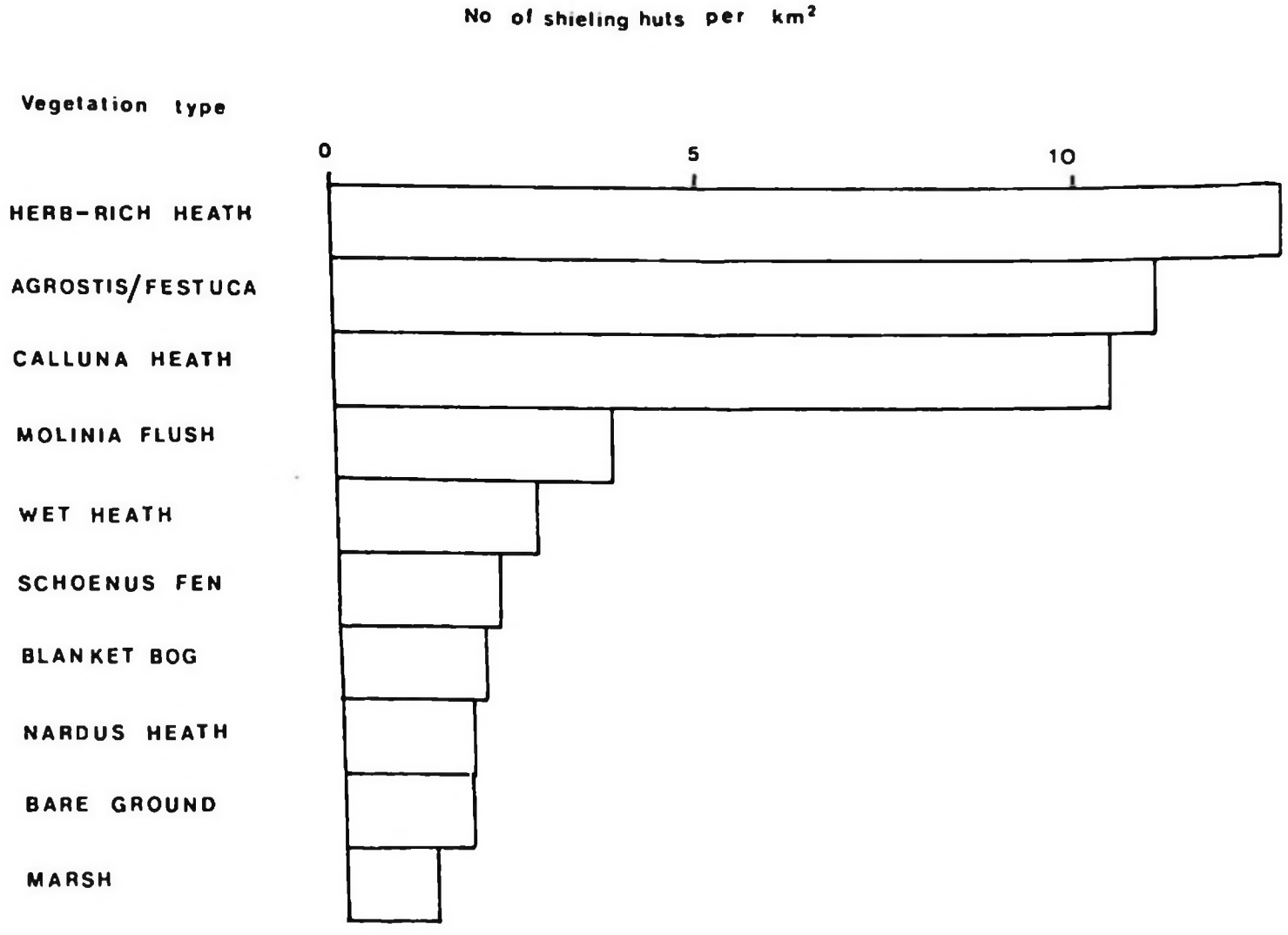


Fig. 7 Density of shieling huts in relation to vegetation (types mapped by Ferreira, 1970, and described in National Nature Reserve Handbook 1974).

annual manuring and trampling by domestic animals could improve pastures, so that the vegetation we see now might to some extent be the result of, rather than the reason for, the siting of shielings.

(c) Shelter. Aspect and shelter would have been important considerations in the siting of shielings, but these factors are not easy to demonstrate. It is apparent (figs. 1 and 2) that in Kinloch Glen, Glen Shellesder and Glen Harris shieling huts tended to be situated on south facing slopes. In Kilmory Glen, which runs north-south, huts are to be found on both sides of the valley. In small, steep-sided glens such as Dibidil, Guirdil and Duian, hut groups nestle in the glen bottom. At first glance some huts would appear to be very exposed, especially in the Guirdil zone; they do however utilise any shelter from adjacent rocks, lie in natural hollows or are even partially sunk into the ground. Such small-scale features cannot be detected on any map, being obvious only in the field. Local topography seems to have afforded sufficient protection from the elements in the case of the Guirdil huts for they demonstrate no obvious preference in the orientation of their outer doorways. Elsewhere on Rum

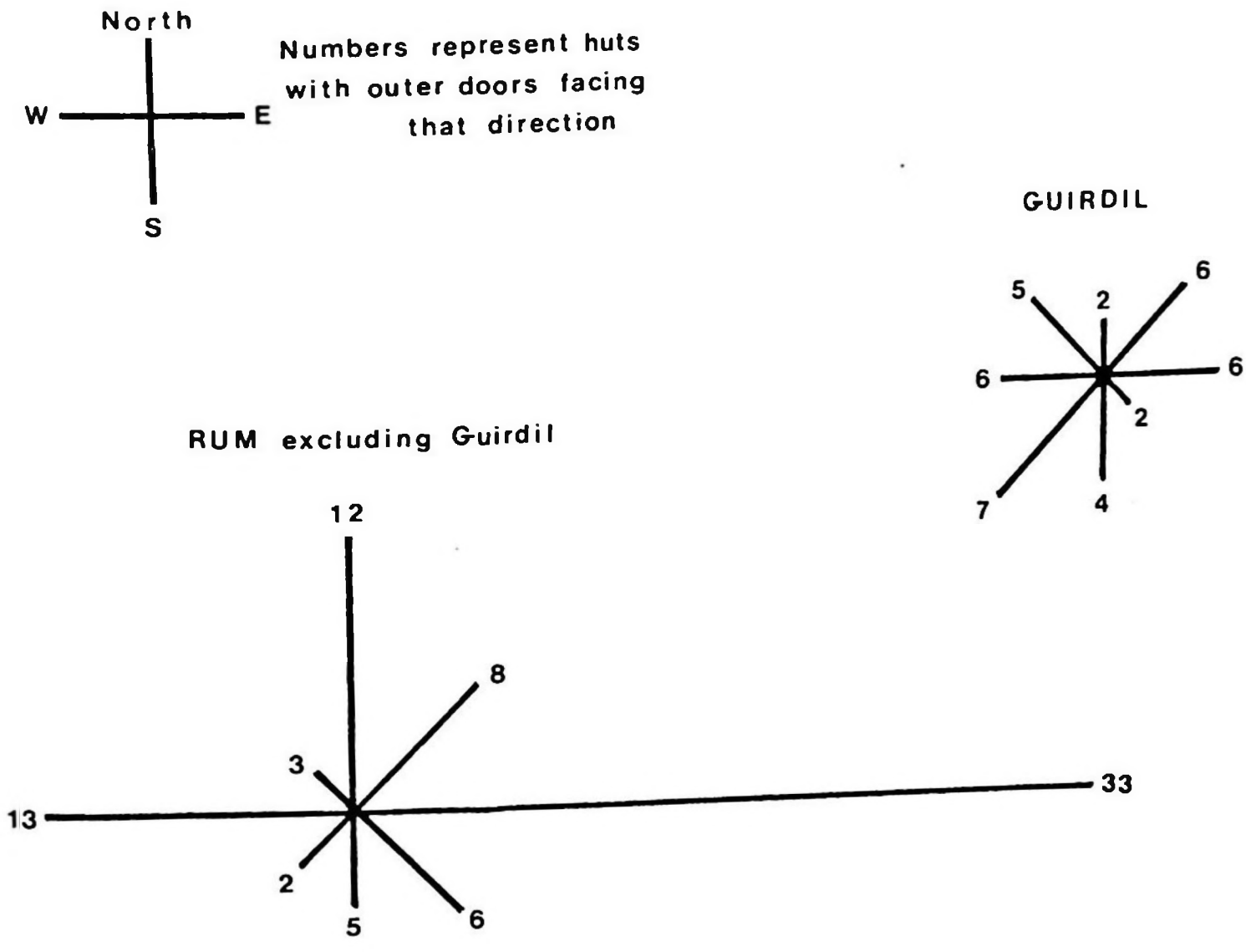


Fig. 8 Orientation of doorways.

however (where the prevailing wind is from the south-west) the majority of doorways face roughly east (fig. 8). About 25 per cent of the huts seem to have had two doors, invariably in opposite walls: thus some east doors have a west equivalent. Some huts gained additional shelter by having a wall or porch (*forsglan*) of stone and turf constructed in front of the door (fig. 9G).

(d) Other factors An obvious requirement in siting a shieling hut would be the availability of building materials. Many huts are encountered at the foot of scree slopes, where there is abundant stone. Huge natural boulders, rock faces or even steep grassy slopes have been employed to form one or more walls of some of the huts. As has already been mentioned, stones were lacking on the fertile, basalt slopes of Fionchra, where the huts were probably built entirely of turf.

Proximity to a source of fresh water must have been of great importance—not only for drinking, but also for the washing of dairy utensils. Huts can be looked for near burns or springs; but, where shelter permitted, well drained sites were chosen (though small burns now flow directly underneath two huts!). Often a hut is found on a small knoll (Plate I). In some instances this may have been artificially created: disintegrated turf blocks and domestic refuse may in some cases have contributed to the formation of a mound, while in others a completely new structure appears to have been built on top of an old, ruined hut. The presence of mounding is indicative, then, that the site had a prolonged history of occupation: it can also be a useful indication of age, as we shall see presently.

By considering these various factors together I have found it possible to predict with an encouraging degree of success where previously unmapped shielings are to be found.

Shieling construction

Considering the ruinous state of nearly all the structures, and the crude sketch maps and measurements made of each, I did not think much would be gained by attempting a detailed analysis of structures, nor, at this stage, by comparing them critically with shielings elsewhere in Britain. However, early in the course of the survey it became obvious that three basic types of shieling could be recognised—cellular, chambered and rectangular (Table 1). On the whole cells and rectangles were reasonably distinctive while more variety in form was encountered among chambered huts. All but 5 per cent of the structures were assigned to one of the three categories: perhaps a somewhat optimistic assessment. (Fig. 9 shows diagrammatic plans).

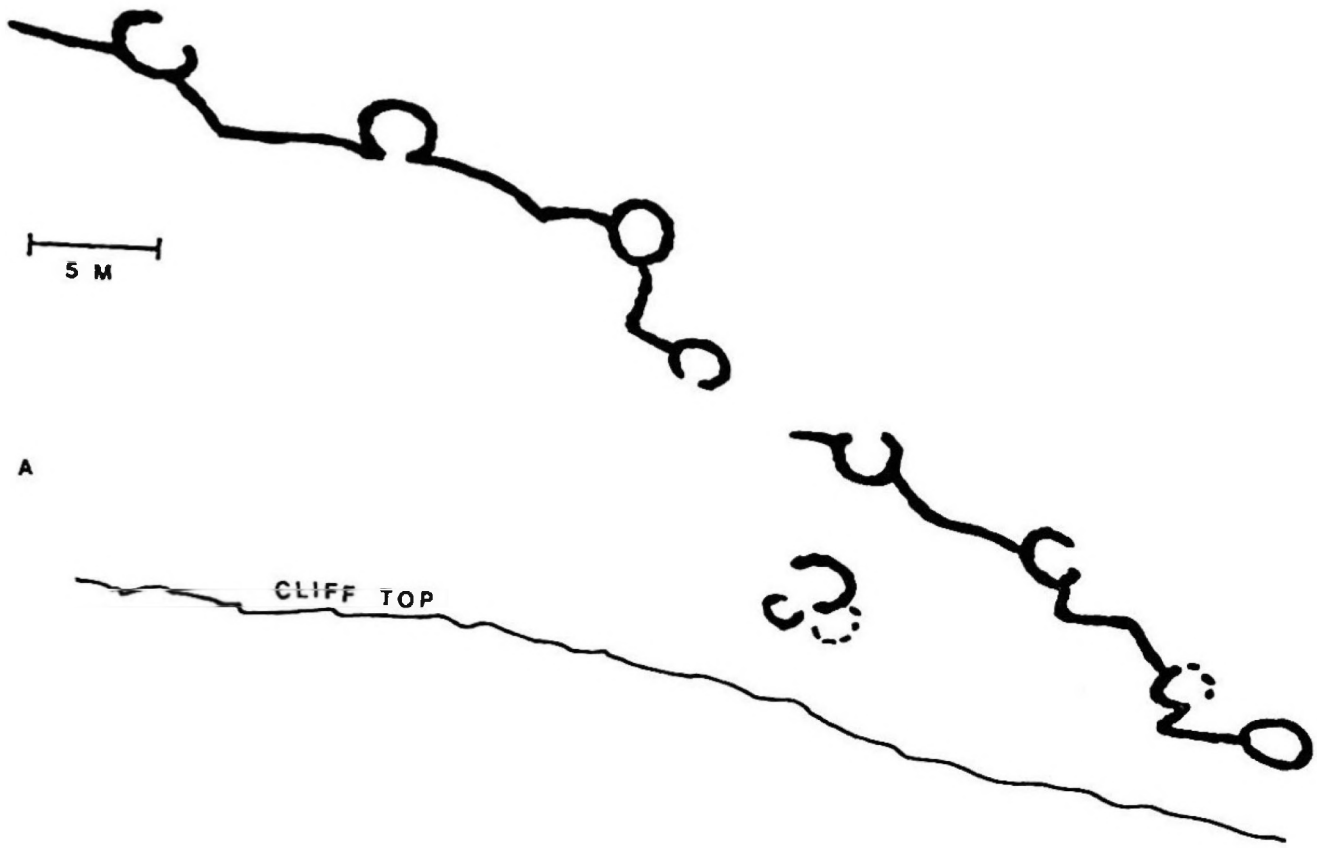
TABLE I

Numbers of shieling huts in five zones in the Isle of Rum.

	Kilmory	*Kinloch*	*Papadil*	*Harris*	*Guirdil*	*Rum*
Cellular huts	28	0	6	18	52	104
Chambered huts	44	1	16	72	35	168
Rectangular huts	17	0	10	34	27	88
Category uncertain	14	0	3	0	0	17
Total no. of huts	103	1	35	124	114	377
Area of zone (sq. km.)	28	18	16	33	17	112
Density of huts (no. per sq. km.)	3.7	0.05	2.2	3.8	6.7	3.4
No. of shieling grounds	26	1	10	41	21	99
Average group size	4.0	1.0	3.5	3.0	5.5	3.8
Average altitude of groups (in metres)	99	67	93	191	233	163

(i) Cells. These are constructed almost entirely of stone slabs partly overlapping one another towards the roof (Plates II & III). Thus the walls are gradually closed in to form an almost conical, beehive structure—a technique known as 'corbelling'. Some huts are so crudely built that they must surely have had the gaps plugged with turf, or have been entirely covered with sods. All but one (Plate II) have now collapsed inwards so that it is difficult to determine the interior height of a cell. The tallest is 2 metres high inside but most are less than this, the walls surviving to an average height of about 1 metre. In ground plan the cells are either circular (60 per cent) or oval with an average internal diameter of 2 metres (range 1–4.5 metres). Amongst the better-preserved examples some 65 per cent are 2–3 metres in diameter and a further 26 per cent appear to be only 1–2 metres across: no more than 9 per cent exceeded 3 metres. Small cells are commonly either attached to, or lie adjacent to, chambers and rectangles, but these will be discussed along with the chambered huts. Only those apparently functioning as separate shieling huts, either alone or in groups, are included in this section.

In all, 104 cellular shielings have been identified, 28 per cent of all shieling huts found on Rum: half of these are located in the Guirdil zone. Indeed 46 per cent of all the huts found in this zone are the cellular type. They tend to be in a better state of preservation and larger (on average 2 metres internal diameter) than those elsewhere on Rum. The preponderance of such a hut design in Guirdil may be related to the high altitude of grazings. The exposure to wind may have necessitated robust buildings of stone: many are partially sunk into the ground, presumably for further protection. A number of these huts have been constructed below the eastern scree slopes of Sron an t-Saighdeir where stone abounds. Many of the cells are joined to one another by dry-stane dykes and thus effectively enclose the rich pastures of Airigh na Maith-innse. The steep slopes of Bloodstone Hill forms the northern boundary to this plateau. The point of access to Glen Guirdil is 'guarded' by another, though more



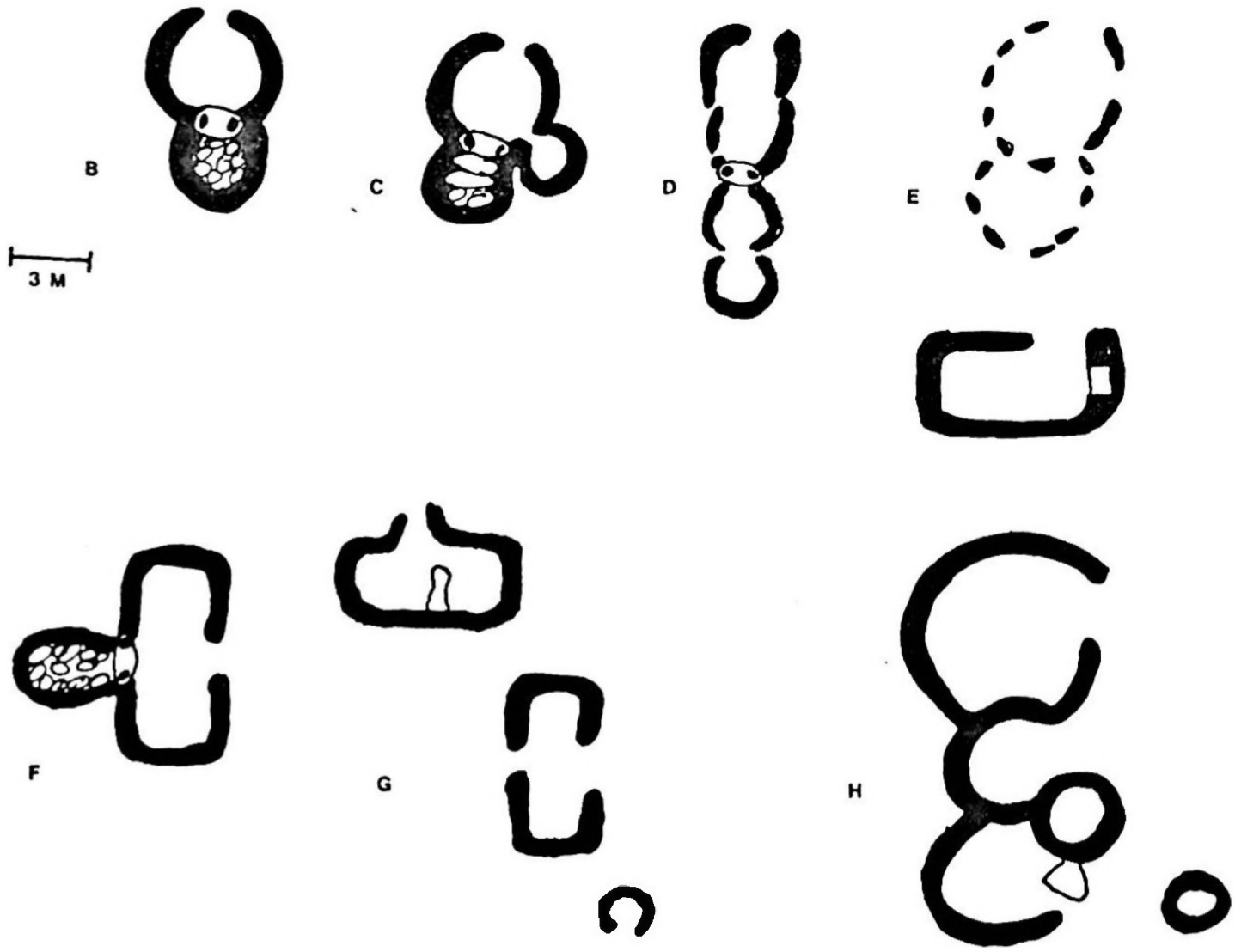


Fig. 9 Diagrammatic plans of some shieling huts found in Rum. (See notes on opposite page).

scattered, group of huts and dykes at Bealach an Dubh-bhraighe. To the west and south are sheer cliffs, but it would have been possible for stock to break out along the cliff top at Wreck Bay: here lies another group of cells and dykes (fig. 9a; Plate III), well preserved although in a very exposed and windswept position. It has been suggested by Miller (1967: 212) that these complex structures may have functioned as a trap for stampeding deer over the cliff, but on the whole this seems unlikely (Love 1980b: 131–132). There seems little need to regard them as other than shieling huts placed strategically near to patches of good grazing and to a source of building materials. They may however be of considerable antiquity, perhaps replaced by other shieling huts built at a later date (when the climate is known to have been deteriorating) in more sheltered hollows nearby.

Because of their more ruinous state few cells (18 per cent) reveal the position of their entrance: only one retains a lintel stone. Another near Fiachanis has a small window built into its back wall: this hut (NM 350945) is a flimsy construction and seems to be of a comparatively late date. One cell displays a small recess or shelf built into an inside wall.

(ii) Chambers. 168 have been identified and are by far the most common type of shieling hut on Rum—44% per cent of all those on the island. They occur in a variety of forms and sizes. A few of the smaller ones overlap in design with cellular huts and others with rectangular ones.

The basic unit is a low circular or oval wall of stone, the smallest not exceeding 1 metre in maximum internal diameter (Plate IV). No obvious roofing slabs lie within: it is probable that the structure was completed with a framework of timber overlaid with turf. The chambered huts range from 1–5 metres across inside: 72 per cent are 3–4 metres. Some of the larger constructions may have served as enclosures rather than dwellings and so never supported a roof.

62 chambered huts (37 per cent) have no other associated structure. 79 (47 per cent) have one small cell attached and 14 (8 per cent) have two cells. In 8 (5 per cent) the

---

Notes to fig. 9 (opposite)

A Line of 8 cells joined by dykes on the cliff top at Sgorr Reidh (NM312983) with a ruined chamber and cell within, (possibly a deer trap but see text).
B Typical chambered hut with attached cell (and lintelled door) on the west slope of Kilmory Glen (NG361025).
C Chambered hut with two attached cells (and one lintelled door) at Creag na h-Iolaire (NG410024).
D Chambered (?) hut with two small attached cells in Lag Sleitir (NM351973).
E Demolished chambered hut with attached cell lying near typical rectangular hut (with wall recess) near Malcolm's Bridge (NM359998).
F Typical rectangular hut with lintelled door leading to an attached oval sleeping cell (both mounded) at Laundry Lochans (NG355032).
G Two rectangular huts, one (mounded) with *forsglan* and *crupach* and the other with two opposite doors and a detached cell, at Lag Sleitir (NM351973).
H Ruins on the shore of Samhnan Insir (NG383044) interpreted as 'fishermen's bothies'.

cell is detached but lies nearby, whilst one has two such detached cells. The remaining 5 (3 per cent) are complex: one is a chamber with four associated chambers, two others both consist of two chambers with one detached cell, and a further two are also both double with three attached cells (Plate V).

The construction of these small, associated cells is similar to the cellular shieling huts described above. They were built almost entirely of corbelled stone, perhaps ultimately covered in turf. Their internal diameter ranges from 1–3 metres though three-quarters of them do not exceed 2 metres. Two of the cells attached to chambered huts retain a complete roof of stone (Plate VI); the rest have now collapsed. In 18 per cent of the chambered huts the doorway leading to the cell retains a lintel stone: in each case, the doorway barely exceeds 0.5 metre square but is sufficient to admit a small adult or youngster. If a second cell is present this tends to be circular rather than oval, and is smaller in diameter, as were most of the detached cells. These doubtless served for storing dairy utensils and produce. Four of the chambered shielings possess recesses in the walls and two others have two such recesses.

(iii) Rectangles. All 88 found in Rum are basically rectangular in plan (Plate VII): the walls are thicker and more substantial than those of chambered shielings—sometimes 0.7 metre or more thick and up to 1.3 metres in height. More than half the number of ruins have obvious doorways: a fifth of them each have two doorways. Five huts have recesses built into the wall. The internal dimensions vary from only 1.3 by 1 metre, to 5 by 3 metres. Most however measure some 3–4 metres by 2 metres.

45 rectangles (50 per cent) have no associated structures. Amongst the remainder, 20 huts have a single attached cell, 7 two attached cells, and only one hut has 3 cells. 13 others have a detached cell nearby, one has two such cells and another has both an attached and a detached cell. In 13 huts with attached cells the lintel stone survives to reveal a doorway (into the attached cell) measuring only 0.5 metre square, as in the case of the chambered huts. The maximum diameter of these associated cells varies from 1 to 3 meters: about 60 per cent are oval in plan. Detached cells are smaller (1.5 metres) and 95 per cent of them are circular.

A distinctive feature of many rectangular huts is a line of kerb stones within, demarcating about half of the floor space which when filled with heather would function as a bed (*crupach*).

Discussion

Whilst it is possible to state with confidence that none of the shielings on Rum functioned beyond 1828, it is impossible to say when the huts were first constructed. The cellular design is obviously an ancient one, being employed by Celtic monks in

the sixth century, and most probably modelled on earlier prehistoric structures. Some of the chambered huts on Rum seem to be constructed from several circular cells enlarged into one. In these cases the internal diameter would make corbelling impractical so that turf and timber roofs would be required. Carmichael (1884: 451–482) noted how in the Outer Hebrides the men would depart each spring to the shielings carrying 'sticks, heather, ropes, spades and other things needed to repair their summer huts' for the women and children.

It may be that on Rum the corbelled cell was retained in exposed situations such as Guirdil where several remain in good repair. The larger and roomier chambered huts were by this time common, with the most recent development being towards a rectangular one, like a small cottage. But the rectangular could not have entirely superseded the chambered however, and an elementary chronology is suggested by the degree of mounding present underneath shieling huts. Few of the cellular structures are mounded, but about one quarter of the chambered ones are, and nearly half of the rectangular ones (fig. 10). Macsween and Gailey (1961: 77–84) have excavated one such mound under a shieling hut on Skye and found the remains of at least three older structures beneath.

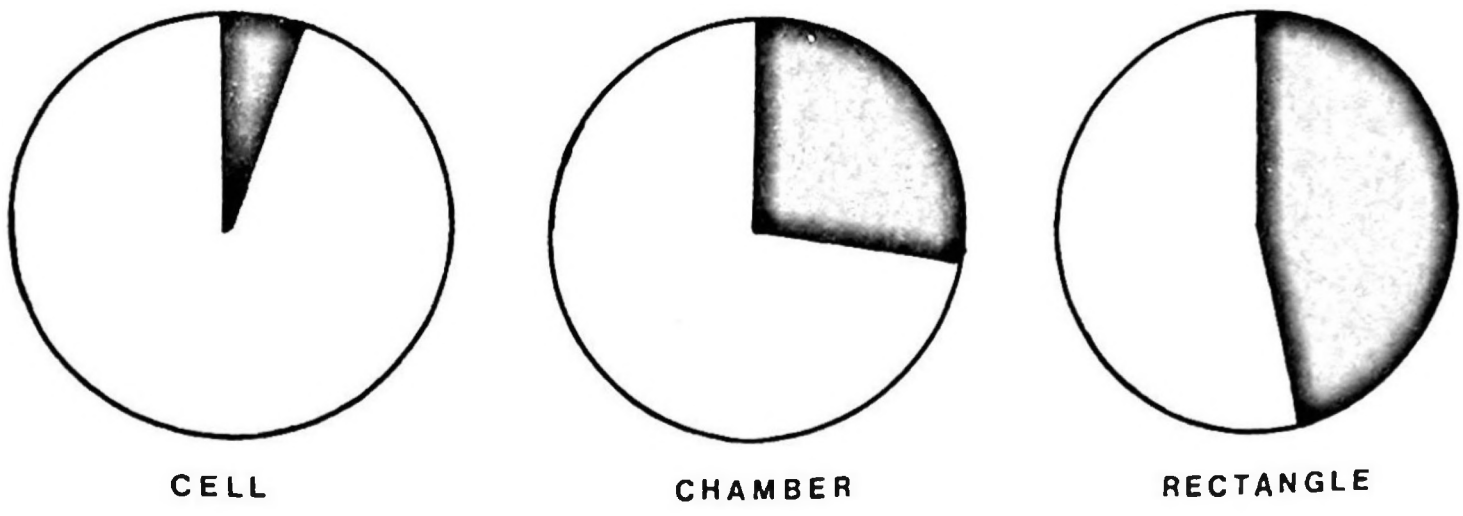


Fig. 10 Frequency of 'mounding' in each of the three types of shieling huts.

Several rectangular huts have no mounding, and they may be of fairly late construction: one might postulate that on Rum as the population increased towards the end of the eighteenth century, a demand was created for additional shieling grounds. Some of the unmounded rectangular huts are in remote and more marginal areas which hitherto may have been considered unattractive as pasture. Also as the population increased several shieling grounds may have been required for permanent settlement: it is likely that the remote blackhouses at Tigh Bhralie, perhaps Camas Pliascaig and Bagh na h-Uamha, possibly also Dibidil and Glen Shellesder, became permanently occupied thus. Two large huts approaching blackhouse dimensions are to be found near the track on Stable Flats (NM 354997) and may latterly have been permanent

dwellings. Together with two or three houses in Kilmory Glen, these are the only non-coastal permanent habitations in the whole of Rum.

There have been several descriptions of shielings huts published in recent years, and we also have earlier eye-witness accounts of occupied shielings in the Hebrides: both can aid us in the interpretation of the Rum structures. In the last century Carmichael distinguished stone-built shieling huts (*both cloiche*) and turf ones (*both cheap*) (1884: 451–482); while Thomas described an assortment of such structures in detail. For example, one had walls which were very rudely built enclosing a square chamber measuring 3 metres by 2 metres and roofed with timber. Attached to one side was a circular stone-roofed building about one metre broad and 0.5 metre high, long enough for a man to lie in. 'Into this strange hole, the person who would sleep gets in "feet foremost", sometimes by the help of a rope from above, his head lying at the mouth of the hole.' The doorway was hardly more than 0.3 metre square (Thomas 1857–60: 127–144).

In 1772 Thomas Pennant visited some shieling huts on the Isle of Jura, an island physiographically similiar to Rum. The huts

> formed a grotesque group; some oblong, many conic, and so low that entrance is forbidden without creeping through the little opening, which has no other door than a faggot of birch twigs, placed there occasionally: They are constructed of branches of trees, covered with sods; the furniture is a bed of heath, placed on a bank of sod; two blankets and a rug; some dairy vessels; and above, certain pendant shelves, made of basket work, to hold the cheese, the produce of the summer.

Several accounts advocate how idyllic shieling life could be, the only holiday which the people could afford. Indeed on fine summer days it may well have been enjoyable, but just as often in the west Highlands it can be cold, wet and miserable. Also, prior to the '45 Rebellion, clan feuds were commonplace. The remote shielings to which the women and children repaired in the summer, doubtless provided some refuge from raiders. Some of the shieling groups on Rum are remarkably well concealed, especially if they had once been covered with fresh turf. Others are in secure positions, such as those built between the huge boulder blocks on the slopes of Barkeval (Plate I). One or two are conveniently close to natural caves in boulder fields and the groups around An Dornabac are within easy reach of a cliff-girt prominence: the simple access route to this refuge is defended by a dry-stone wall, which would appear to be of comparatively late construction.

But despite potential dangers and discomfort the annual migration to the shieling grounds was an integral part of a way of life now long past. Carmichael (1884: 451–482) remarked how the people would speak with nostalgia of the benefit they derived in mind, body and substance from their life in the hills.

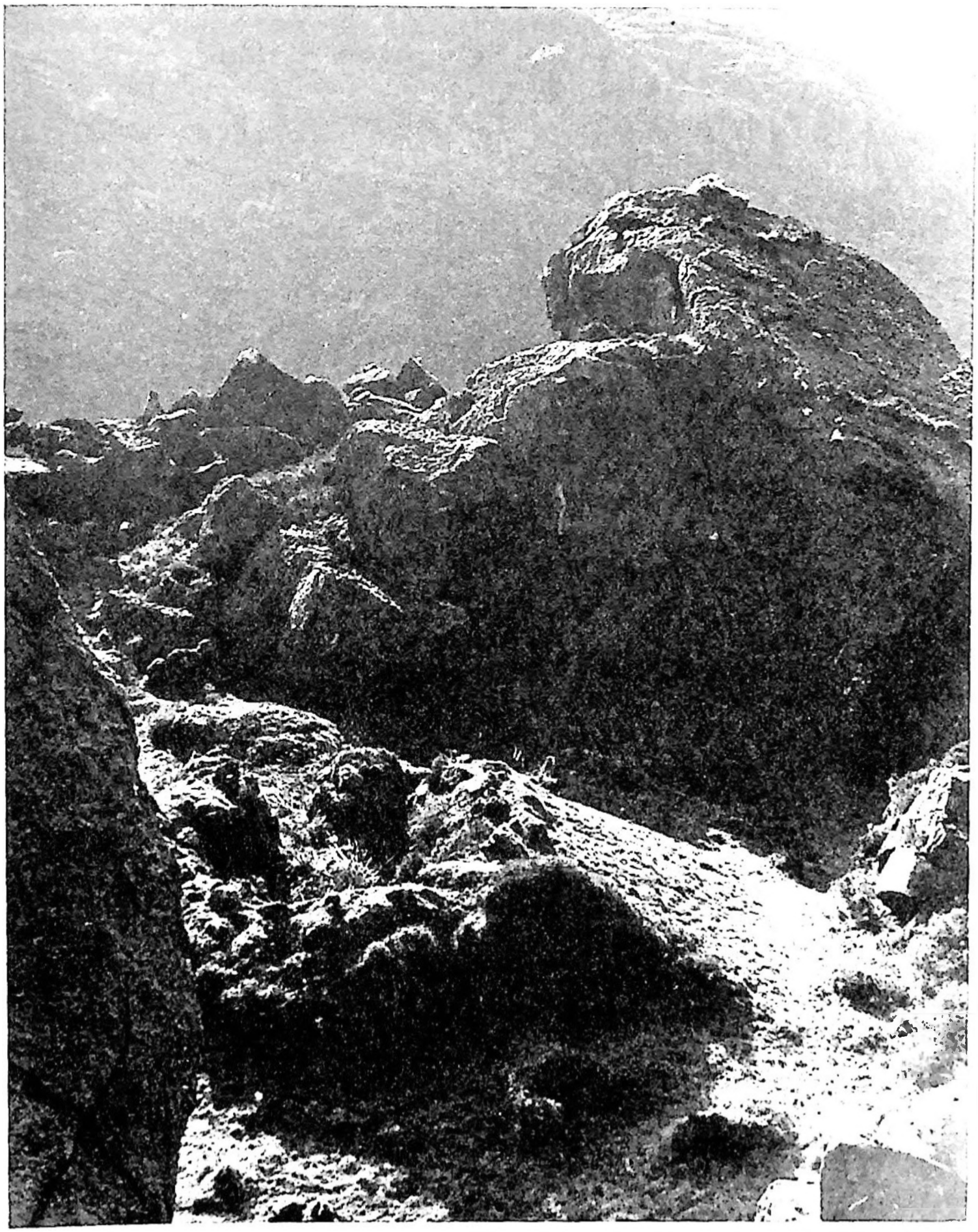


Plate I 'Mounded' rectangular hut, evidently sited on the remains of successive turf-walled structures. It lies amongst huge boulder blocks at an altitude of 250 metres on the south slope of Barkeval (NM 375967). There is a small cave in the shadow to the right of the ruin.
[All photographs, except that for Plate VI, were taken by the author in 1980].

Plate II Complete corbelled cell above Kinloch (NG 407005).

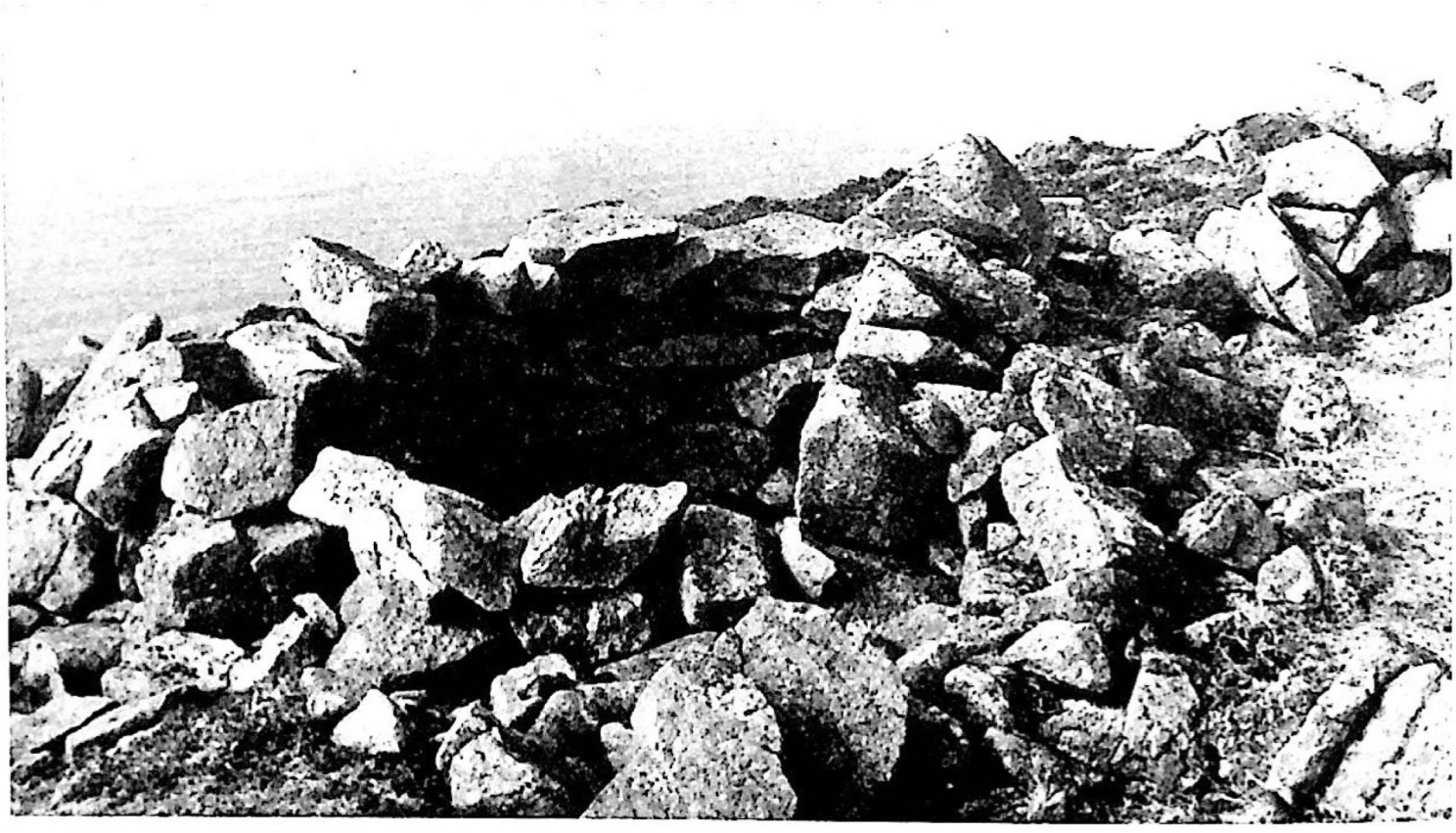


Plate III Cellular hut (collapsed) built into dyke at Sgorr Reidh (NM 312983). See fig. 9A.

Plate IV Well preserved chambered hut with tiny lintelled door leading to a collapsed cell, Kilmory Glen (NG 361025). Illustrated in fig. 9B.

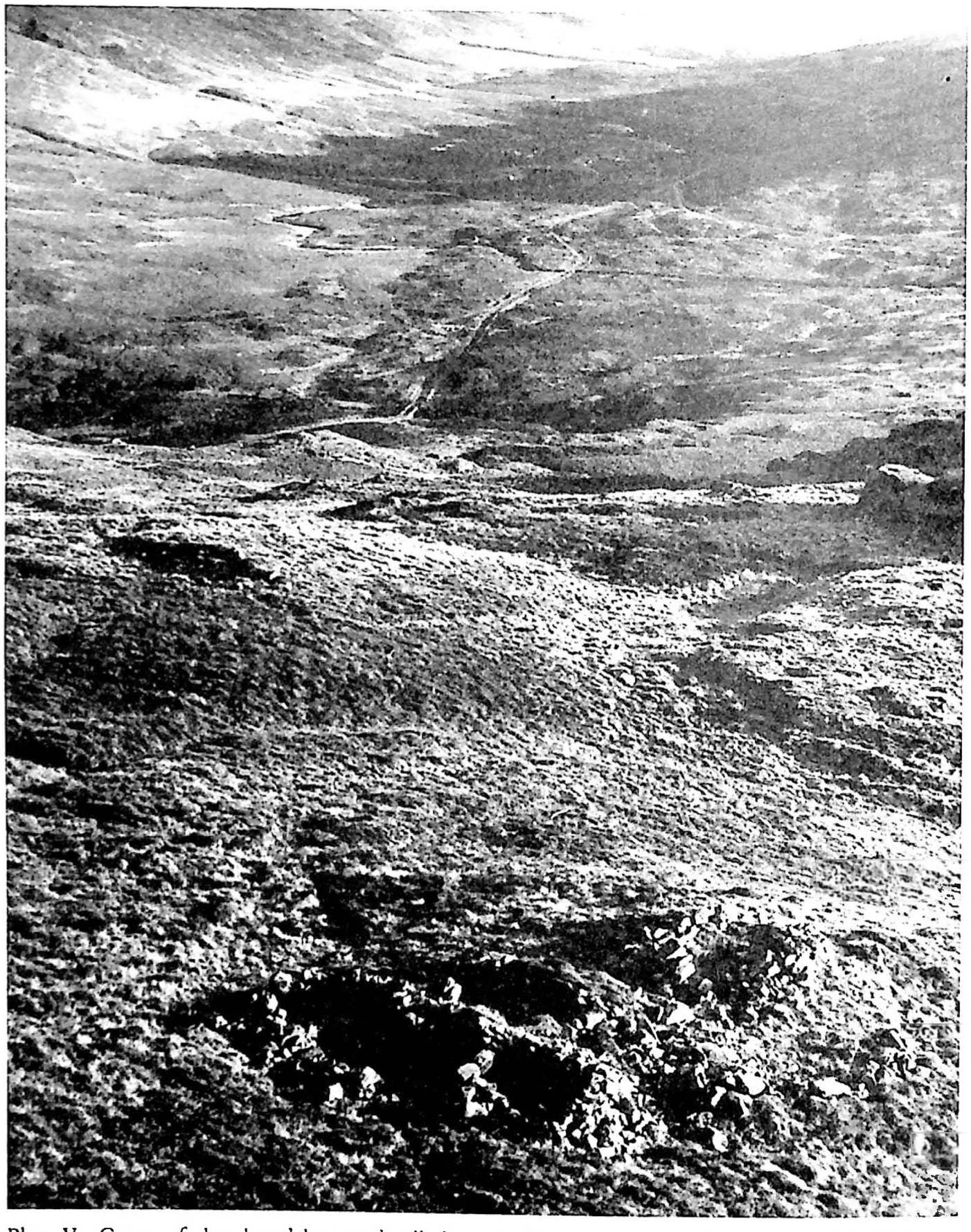


Plate V Group of chambered huts and cells in typical location near a scree slope on Minishal and overlooking Kinloch Glen (NG 356004).

Plate VI Unusual chambered hut with attached cell completely roofed, one of a line of huts above Harris beside Loch Monica (NM 333966).
[Photograph by R. T. Sutton, 1980].

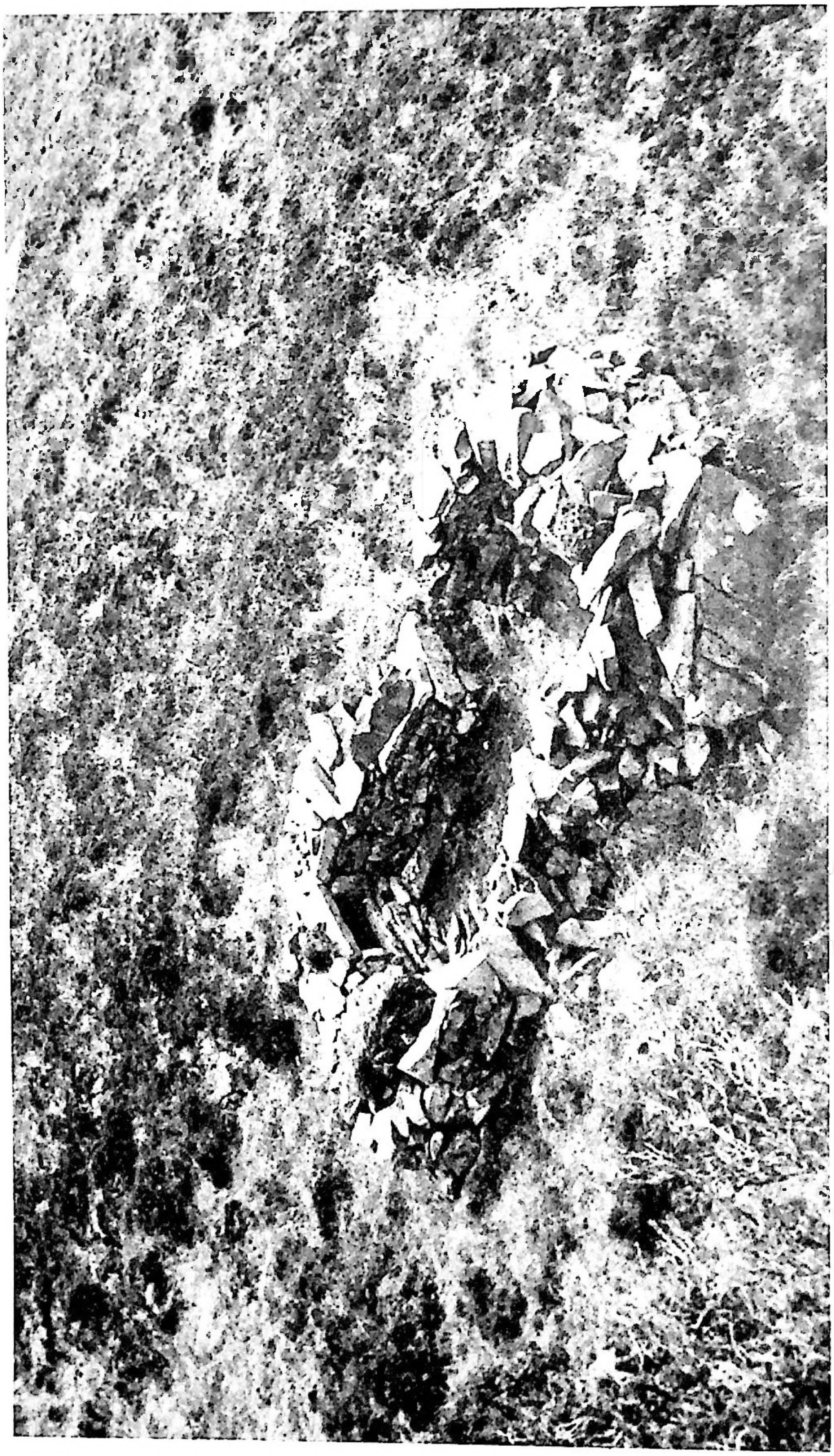


Plate VII Good example of rectangular hut (with wall recess) built of sandstone slabs, between Papadil and Dibidil (NM 379433).

ACKNOWLEDGEMENTS

I am grateful to the Honourable Fiona Guinness, Callan Duck and R. T. Sutton for indicating to me shielings of which I was not aware, and to R. T. Sutton also for the photograph for Plate VI. M. E. Ball kindly read and commented upon the manuscript.

NOTES

1 Important discussions of shielings in Scotland will be found in Alexander Fenton's book, *Scottish Country Life* (Edinburgh 1976), chapter 7: 'The Shieling', pp. 124–43, with select bibliography; and in the same author's section of the volume *The Making of the Scottish Countryside*, edd. M. L. Parry, and T. R. Slater (London and Montreal 1980), chapter 4: 'The Traditional Pastoral Economy', pp. 93–113, with detailed references to sources.

For Norway a recent survey in English is that of Dr Anne-Berit Ø. Borchgrevinck, 'The *Seter* areas of rural Norway—a traditional multi-purpose resource', in *Northern Studies* 9 (1977), 3–24. In two subsequent issues of the same journal Dr Borchgrevinck has published an illustrated account of 'The houses of the Norwegian *Seters*: an analysis of local type-varations', *Northern Studies* 16 (1980), pp. 53–69, and 17 (1981), pp. 9–26. This journal, published by the Scottish Society for Northern Studies, is available from 27 George Square, Edinburgh, EH8 9LD. [Edd.]

REFERENCES

BANKS, N.
1976 *Six Inner Hebrides*. Newton Abbot.

CARMICHAEL, A.
1884 'Grazing and Agrestic Customs of the Outer Hebrides'. In *Report of HM Commissioners of Enquiry into the Condition of the Crofts and Cottars in the Highlands and Islands of Scotland*. London.

FENTON, A.
1976 *Scottish Country Life*. Edinburgh.

FERREIRA, C.
1970 *Vegetation Map of the Isle of Rhum*. Nature Conservancy Council, London.

LOVE, J. A.
1980a 'How Strange a Cycle: an Early History of Rhum.' *Hebridean Naturalist* 1: 28–32.
1980b 'Deer traps on the Isle of Rhum'. *Deer* 5: 131–2.

MACWEEN, M. and GAILEY, A.
1961 'Some Shielings in North Skye'. *Scottish Studies* 5: 77–84.

MILLER, R.
1967 'Land Use by Summer Shielings'. *Scottish Studies* 11: 193–221.

MOULD, D. D. C. P.
1953 *West-over-sea*. Oliver and Boyd, Edinburgh.

NATIONAL NATURE RESERVE HANDBOOK
1974 Isle of Rum. Nature Conservancy Council, Edinburgh.

PENNANT, T.
1774 *Tour in Scotland and Voyage to the Hebrides*. Chester.

RITCHIE, J. N. G., THORNBER, L., LYNCH, F. and MARSHALL, D. N.
1974–75 'Small Cairns in Argyll: Some recent work'. *Proceedings of the Society of Antiquaries of Scotland* 106: 15–38.

THOMAS, F. W. L.
1857–60 'Notice of Beehive Dwellings in Harris and Lewis'. *Proceedings of the Society of Antiquaries of Scotland* 111: 127–144.

WHITAKER, I.
1959 Some Traditional Techniques in Modern Scottish Farming'. *Scottish Studies* 3: 163–188.

Notes and Comments

'House' and 'Pennyland' in the Highlands and Isles

W. D. LAMONT

In ancient Dalriada a tribal land was described in terms of the number of houses it contained (Bannerman 1974: 43, 49). 'House' was obviously a technical term, and I shall try to show: (1) that it was the Dalriadic equivalent of the Irish *Ocaire*'s house: (2) that it was the standard 'pennyland' of the West Highlands and Isles; and (3) that the pennyland denomination was most probably derived from grants made to the mediæval church.

1 House of 'Ocaire' and Dalriadic House

(*i*) *House of the 'Ocaire'*

In the ancient Irish social organisation as described in *Uraicecht Becc* [hereafter referred to as *UB*] (*ALI* V) and more systematically in *Crith Gablach* [*CG*] (*ALI* IV; Binchy 1941), the lowest grade of freeman commoner who attended the assemblies and owed military service was the *Ocaire*. His house was defined in *CG* as consisting of 7 *cumals* of land; and a *cumal* in this context meant land sufficient to maintain 3 cows and their followers. The house of 7 *cumals* was thus equal to 21 cow-soums.

It was also defined in terms of its rental value. A land of 7 cow-soums paid one cow as annual rent and was therefore called a cowland. The *Ocaire*'s house was thus a 3-cowland holding; and it is the description in terms of cowlands which is relevant for a comparison with the Dalriadic house.

In each house there were normally two families: that of the *Ocaire* as principal tenant, and that of his sub-tenant or *cele* (Binchy 1941: 82). The houses were grouped under chiefs and chieftains whose authority could be described in terms either of the number of their tenants or the number of their houses. Thus (*ALI* IV: 317–29):

Tenants				*Houses*
the *Aire Forgill* had	20 *soer*	+ 20 *daer*	*or*	20
Aire tuise	15	+ 15		15
Aire ard	10	+ 10		10
Aire deso	5	+ 5		5

(ii) The 3-Cowland Holding of Islay

The Irish *Ocaire*'s house had its counterpart in Islay. This is evident from relics of the old order embedded in charters and rentals, mostly of the seventeenth and eighteenth centuries. The examples are not numerous, but they belong beyond reasonable doubt to the Irish pattern. Thus:

Tenements	*Cowlands*	
Machrie	9	(*BI* rentals 1686 and 1733)
Proaig	6	(*RMS* XIV, No. 307; and *BI*, pp. 32–3)
Glenastle, U	4	(*BI* rentals 1733)
Glenastle, L	3	(*BI* rentals 1733 and 1741)
Cornabus and Kilnaughtan	6	(*BI* rentals 1733 and 1741)

It will be noted that, with the exception of Upper Glenastle, these holdings were single or multiples of 3-cowland groups. But did these holdings contain 21 cow-soums? There are, in fact, 5 such holdings with boundaries so naturally determined that they have remained the same from time immemorial. For all 5 there are lines on the 25-inch-to-the-mile Ordnance Survey Map which apparently mark off the old individual holdings from the common moorlands. If this be a correct inference from the map, then Upper Glenastle was 137 imperial acres and Lower Glenastle about 107. Immediately adjoining Glenastle are the lands of Cragabus—Upper, Middle and Lower. These are not shown in cowlands; but they appear as 6 horsegangs which are known to be equal to 9 cowlands; and the three holdings together, excluding the common moorland, had a total of 318 acres.

We have thus an average of about 110 acres to the holding; and the question is whether this would be equivalent to 21 cow-soums. A cow-soum signified maintenance for a cow and followers, commonly a 1-year and a 2-year old (3 beasts in all); and consequently the 3-cowland holding should have provided maintenance for 63 animals. From the point of view of modern animal husbandry, 110 acres would be quite inadequate. But a member of an Islay farming family has drawn my attention to the ancient practice of overstocking with small, light cattle. He also pointed out that there would never be in reality the full nominal complement of 63 beasts. Something like 48 would be the maximum at any given time.

In view of these considerations, 110 imperial acres can be accepted as an Islay equivalent of the Irish 3-cowland holding; and this conclusion is in line with the fact that the Islay holding commonly, perhaps normally, contained 2 tenants. The 1733 rentals show Machrie with 6, Cragabus with 6, Cornabus and Kilnaughtan with 4, Upper and Lower Glenastle each with 2.

We can take it, then, that the Islay house is to be equated with the house of the Irish *Ocaire*.

(iii) House Groups of Dalriada

I have not found any direct evidence linking the individual house of Dalriada to that of the *Ocaire*, but evidence is indirectly provided through the system of house grouping. As we have seen, the Irish system, as standardised in *CG*, gave the principal group as 20. In Dalriada the following are recorded for the lands of Loarn (Bannerman 1974: 43, 49):

Coildub	30 houses	Fardalach	20 houses
Eogan Garb	30	Baotan	20
Fergna	15	Cormac	20
Eogan	5	Bledan	20
Baitan	5	Cronan	

The sub-grouping of the 20-house group is not shown, but we may assume that it had been of the form 15, 10, 5. Indeed, Adomnan (Anderson 1961: II. 20, 21) provides evidence for the 5-house group in both Lochaber and Ardnamurchan, but I leave the reader to work out the implications of what he actually says. Our more immediate concern is with the standard major group. That of 30 houses, as found in Loarn, was not common; but it was the basis of the Islay system as shown in an inventory incorporated in *Senchus Fer n Alban* (Bannerman 1974: 42, 48). This system had been adopted in response to a change in agricultural practice; but we shall see that originally in Islay, as in mainland Dalriada, the standard group for administrative purposes had been that of 20 houses.

This is shown most clearly in the rules for the naval array, each 20-house group providing a galley of 14 oars. The requirement is, by happy chance, preserved in a seventeenth-century charter. In a 1617 charter to Campbell of Calder (*RMS* 1614; *BI* 1894: 353ff.) the lands of Losset, near Port Askaig, were included; and the terms of the old *reddendo* for these lands were preserved: *Unam cymbam cum quatuordecem 'ores', vel pro dicta cymba decem libras monete.* (A birlinn of 14 oars, or in lieu of the said birlinn ten pounds in money).

Now, ten pounds was the value in 'Old Extent' of a 20-house group in Islay. On the transfer of the Hebrides to the Scottish crown in 1266 there was a valuation of Islay which simply translated the existing cow values into current monetary terms. We know that this must have happened about 1266 because the West Highland cow was then worth ¼M (*ER* 1878, for 1264–6; *cf.* McKerral 1944: 66), making the Islay 3-cowland house a ¾M (10*s.*) land. Thus (*BI* 1733 rental):

Machrie	9 cowlands became a	30*s.* land
Cornabus and Kilnaughtan	6	20*s.*
Glenastle, U	4	13*s.* 4*d*
Glenastle, L	3	10*s.*

In the 1722 local rental the lands of Losset are shown as having an old extent of £10—the valuation of a 20-house group; and what Campbell is required to furnish is a war galley of 14 oars or the assessed value of a 20-house group.

It is worthy of note that a 14-oared vessel with a complement of 40 men seems to have been the typical war galley of the eleventh century, judging by an entry in the *Annals of Ulster* under the year 1098 when 3 Hebridean ships with 120 men were vanquished by the men of Ulster.

Such a war galley was certainly the requirement for the naval array from a Dalriadic 20-house group (Bannerman 1974: 42–3; 48–9), the formula being: *vii. vii. sese cach xx tech* or *da shecht sess cach xx tech*. It is true that, reading *sese* or *sess* as 'bench', the formula has been understood to mean 2 vessels, each of 7 benches. But this interpretation must be ruled out for two reasons. First, *sess* did not at that time mean a bench; it was the seat of the individual rower. Cormac's *Glossary* gives: *Sess ethair quasi sos ind fir imramae* (support for the rower—lit. man of rowing). The editor, Dr O'Donovan, adds '*sess* is now used for a bench'.

Secondly, 20 houses could not have provided two vessels, each of 14 oars. The full complement for one was 40 (strictly 42) men, 3 to the oar (*BI* 1894: 360 note; and *B&S* 1951: 226), exactly what could be provided by 20 houses, each with its two tenants.

The Dalriadic war vessel must have been, like the Norse Gokstad ship (Sawyer 1962: 68–77), without benches, the rowers accommodated on improvised seats; and the formula *vii.vii.sese* is somewhat akin to the Norse 'x rowing at the board' (*i.e.* x starboard, x larboard).

Let us summarise our conclusions so far. It is apparent that the main framework of the Irish social system had been brought over to Dalriada. Essential characteristics were the house and the 20-house group. As to the house, the evidence, though indirect, is conclusive: the *Ocaire*'s house had its equivalent in the Islay 3-cowland holding; 20 Islay houses provided a war galley of 14 oars: this was also the requirement from Dalriada which could be met only if the Dalriadic house were the equivalent of that of Islay, and hence equal to that of the *Ocaire*.

As to the 20-house group, we have noted that this was not the only major group found in Dalriada, Loarn showing groups of 30. But this was no different from the position in Ireland where, according to *UB*, the number might be 20, 25 or 30. But the group had been standardised by the time of *CG*; and this was clearly the administratively important arrangement in Dalriada.

Now, the house having such a vital place in the social system, one might have expected to find references to it in all the areas colonised by the Scots, not only in the Kingdom of Dalriada but also in the West Highlands north of the kingdom and in the Isles. But so far from finding references to this land denomination in the north and west generally, it had actually disappeared from notices of Dalriada itself by the

end of the thirteenth century. The explanation seems to be, not that the social system had become radically changed, but that in our extant records, written in Latin or English, the term *teach* or *tigh* had been replaced by 'pennyland'. If this is the explanation, then we should find, as we move north and west, farther away from Lowland influence, evidence of a pennyland system with the basic characteristics of the old house system.

2 'House' and 'Pennyland'

(*i*) *Pennyland Areas*

We look first at the distribution of pennylands over the West Highlands and Isles. This is pretty well documented in *Origines Parochiales Scotiae* [*OPS*] volume II, covering the mediæval dioceses of Argyll, Ross, Caithness and The Isles.

Argyll (*OPS* II, Pt I and Pt II App.). Apart from a few exceptional areas (the only significant one being an eastern strip from above Loch Eck in Cowal to the Moor of Rannoch), pennylands are found throughout, *i.e.* from Kintyre to Glenelg.

Ross (*op.cit.* II, Pt II) I have found completely barren of pennyland references.

Caithness (*op.cit.* II, Pt II) yielded none in the part of the diocese corresponding to the modern county of Sutherland, apart from two tiny islets off the north coast; but in Caithness proper, they appear in great numbers.

The Isles (*op.cit.* II, Pt I and Pt II App.) have pennylands in most areas; but, surprisingly, they are entirely missing from the Islay group (Islay, Colonsay, Jura and Gigha) and from Bute.

While the barren areas pose interesting questions, we are concerned only with those in which the pennyland denomination occurs. There is apparently at least one example of a one-to-one relation between house and pennyland. About the year 1290 John son of Lagman gave Sir Colin Cambel two pennylands, Kames and Achadachoun, for payment of the king's forinsec service, and 'for finding at the gatherings of Argyll two men with their victuals, as was customary in the country.' (*OPS* II, Pt I: 53). The two men would, of course, be the principal tenants—the *Ocaires*. But what will be really significant is any evidence of social structure corresponding to the old house-group system.

(*ii*) *Pennyland Groups*

Diocese of Argyll. In Kintyre and Knapdale the pennylands occur as single units or in groups of 2 or 3, and the public records contain no surviving traces of a regular system. This is hardly surprising in view of the long history of Lowland immigration. The same is true of eastern Cowal where the pennylands are mostly associated with gifts to the church.

But as we move further west into Strathlachlan, we find (*c.* 1300–2) a group of 10 pennylands; and still further, in Craignish, there was a grant (1412) of 5, 5, 5, 1, 5, 3 by Campbell of Lochawe.

The Deanery of Lorn is rich in material. In the parish of Kilchrenan there was a charter (1432) for 2, 4, 5, 5, 5. In Inishael we find (1375) a list of 5, 5, 5; and in Ardchattan (1321–2) lands of Benderloch are given as 3, 3, 5, 5, 5.

Lismore had a 20 pennyland group of which 14½ were given to the Bishop of Argyll in 1251 and the adjacent 5½ in 1304.

In Glennevis we find the denomination *davach* (1456) equated with 20 pennylands (1536) and an extent of 10M (1537–8). In Kilmonivaig (1564) three groups are recorded, each of 5 pennylands.

In the Deanery of Morvern, parish of Kilmalie, the pennylands of Locheil and half-*davach* of Kilmalie are given (1492 and 1528) as 30 marklands, the one-and-a-half of Locharkaig being also shown as 30 marklands. But 20M to the *davach* is quite preposterous, the usual extent in this area being 10M, and as low as 6M or 4M elsewhere. The explanation of this over-assessment is most probably that, by a scribal error, 'markland' has been written for 'pennyland'. If we allow this correction, we have a total of three *davachs* each of 20 pennylands. Also in the parish of Kilmalie is the 20-pennyland group of Glengarry.

Ardgour (1372–3) is put at 2 *unciates*.

The significant records of Ardnamurchan are late, but they indicate groups of 20 pennylands. Thus, 73½ marklands (1541) are equated with 147 pennylands (1723), giving ½M to the pennyland, and so the usual 10M for a 20 group.

Sunart, old parish of Elanfinan, was 3 *unciates* (1392) = 30 marklands (1499) = 60 pennylands (1723). In this last named year there were thirteen holdings of which ten were of 5 pennylands.

The term *unciate* is used with reference to Garmoran as a whole, but for the separate parishes, Moidart, Arisaig, Morar and Knoydart, it is *davach*. Arisaig, including Moidart and South Morar, is found to have 20 pennylands to the *davach* once a confusion with 'markland' has been cleared up (1309). The same applies to Knoydart.

In Glenelg we have a list of twelve half-*davachs*, each of 10 pennylands. (*OPS* II, Pt II App. p. 829).

Diocese of The Isles. Arran shows a tenpennyland (1405). Mull abounds in pennylands, and we find the term *unciate* (1343 and 1390); but the pennyland groups throughout the island are so fragmented that there is no indication of their system.

The islands of Eigg and Rum (parish of Kildonan) are given in 1309 as 6 *davachs*, each of 20 pennylands with an extent of 6M.

In Skye, from 1489 on, the *unciate* or *tirunga* of Trotternish was 20 pennylands. The MacLeod estates (*Dunvegan* I: 1–3; II: 79 ff.) are shown in pennylands and

unciates. The fragmentation of the groups is such that we can only estimate the *unciate* to have been 20 pennylands.

The *OPS* material for the Outer Isles is supplemented by Captain Thomas RN (Thomas 1885–6: 210 ff.). In Barra the principal denomination was the *tirung*, number of pennylands not given. In South Uist we have the *davach* (1309), *unciate* (1427), and *tirung* (1655). Land in Harris was computed (1792) in pennylands, and a tacksman might hold 20. In Lewis pennylands were 20 to the *tirunga*; and a MacLeod charter (1590) made a grant of six *davachs* totalling 120 pennylands (20, 30, 20, 20, 20, 10).

(*iii*) *The 'House'–'Pennyland' System*

The natural conclusion to draw from our survey is that the social organisation brought over from Ireland, which grouped houses under chieftains and chiefs of 5, 10, 15 and 20, was not confined to the Kingdom of Dalriada proper, but was carried up north and over to the Isles. The name 'house' (*tigh*) which designated the actual holding disappeared and was replaced by 'pennyland', signifying that the house had become subject to a levy of one penny.

3 Origin of the Name 'Pennyland'

As to the origin of this name, there are two broad alternatives. First, the penny per house might have come by sub-division of a comprehensive levy on the house-group as a whole; or, secondly, it might have been a direct imposition on each individual house.

(*i*) *The Sub-division Theory*

Taking the first of these alternatives, we may assume that the group levy would have been associated with one or other of the group names: markland extent, *davach, unciate, tirunga.*

(a) The *markland extent* can be readily dismissed. Although the most common assessment was 10M to the 20 pennylands, it was 6M in some cases and as low as 4M in Glenelg and Trotternish. Further, it varied greatly for the same lands over the centuries. Finally, it is difficult to see how even 1M (160 pennies) could have been sub-divided to yield 20 pennies.

(b) *Davach* is the Gaelic *dabhach*: 'a vessel, a vat, a land measure of four ploughlands' (Irish, *vide* Dinneen 1934); 'vat, large tub, district of a country to carry 60 head of cattle, 1 or 4 ploughgates according to locality and land' (Scottish, *vide* Dwelly 1941). The *davach* must have been employed as a grain measure, perhaps varying in capacity in different parts of the country; and associated with the ploughgate, its use as a land denomination clearly belongs to a primarily agricultural economy, as *e.g.* in Moray and Ross where it entered into place-names such as Dochgarrach and Dochfour.

A clue to the extension of this name to the primarily pastoral economy of the west is suggested in the records of Muckairn (*OPS* II, Pt I: 133). In 1532 there were nineteen holdings with a total of 119 pennylands (118 + 1 belonging to the Abbot of Iona). As seven holdings were of 5 and three of 10 pennylands, just over half of the nineteen conformed to the regular group pattern; and since the extent was given as 60M, it is fair to assume that the total should have been 120. A MS note gives the lands as 25 ploughgates. This would work out at the awkward arrangement of $4\frac{4}{5}$ pennylands to the ploughgate; and as none of the holdings was of this size and the majority conformed to the regular group pattern, we may take it that the number of ploughgates was 24, giving 5 pennylands to the ploughgate.

This is rather surprising because the Irish ploughland noted in *CG* was of 4 houses operating a plough-team of 4 oxen. However, this was a relic of the past; and it is evident from *CG* itself that practice was changing, partly because chiefs and chieftains were no longer, as in *UB*, restricted to 4 houses for personal property. They had become landlords over the free commoners occupying the houses in their groups. It seems that in Muckairn the 5-house group had become the agricultural combine.

It cannot have been unique in this respect. Indeed, the frequency with which the 5-pennyland group occurs in the records suggests that the practice was common. As an agricultural combine it would most likely have been called a *treabh*, the name used in Islay for the co-operative ploughland (Bannerman 1974: 42, 48). The Lowland substitute term 'ploughgate' naturally encouraged the use of the other agricultural denomination, *davach* for the 20-house group.

But this could only explain the introduction of the *davach* denomination to the pennyland area. It cannot explain the origin of the name 'pennyland'.

(c) The *ounceland* denomination is found in the Hebrides in the form *tirunga* or *unciate* and as *unciate* in Ardgour, Sunart and Garmoran. It is generally believed to be of Norse origin. We, however, are primarily concerned not with its origin but only with its relation to the pennyland, with the question whether the penny was levied as a sub-division of the ounce.

I have found no evidence in the published records of the ounceland denomination in the west Highland mainland other than in the three districts just mentioned. It is true that some time before 1475 the Lord of the Isles granted to the Abbey of Saddel the lands of Kellipoll in Kintyre said to be 'a twelve *unciate*' (*OPS* II, Pt I: 11). But Kellipoll is later shown to be an 8/4d. land. The correct entry would therefore have been 'a twelfth (*uncia*) of land', 8/4d. being the twelfth of a £5 land for which there is some evidence in Kintyre.[1]

There are difficulties in relating ounceland to pennyland even in areas where both denominations are present. Thus in Orkney the ounceland (*urisland*) was equated with 18 pennylands; but Captain Thomas RN (Thomas 1883–4: 358) found no record of such a sub-division of the Norse ounce of 412.59 grains. He thought that the penny in question would have been the old English penny of 22.5 grains, 18 of which (405

grains) were only a little short of the Norse ounce. The group having to pay one ounce, the burden could be spread by a charge of one English penny on each holding.

This seems a reasonable suggestion until we follow it further. In the west Highlands and Hebrides the ounceland is equated with 20 pennylands. The difficulty is aggravated for the few areas in which the ounceland was 24, in Benbecula, North Uist and Tiree. In Benbecula rents of pennylands were stated (1576) in terms of 'males' of grain. In North Uist there were (1561) the 24 pennylands of Unganab (the abbot's ounceland) for the half of which Macdonald of Sleat paid (1576) '48 males of bear of the custom and use of Uist'. In Tiree a local rental of 1662 (*SHR* 1911, vol. 9: 344) gives: '*Tirunga* = 6M = twenty pennylands = 48 mailies'. 'Twenty' is written '20', but the reference must be to the Norse long score, 24. The use of the denomination 'mailie' in the Hebrides presumably derives from a Norse grain measure,[2] the male, as is evident from a charter giving the old rent for Tiree, each *tirunga* paying 48 'males' of meal (*CRA* 1847: 161, 178–9). Apparently Benbecula, North Uist and Tiree had been found by the Norse colonists especially suitable for cereal crops; and to promote more intensive cultivation the 20-house group was re-constituted as 24.

We have, then, in Orkney an ounceland of 18 pennylands, and in the Hebrides one of 20 and still another of 24 pennylands. This means that, if the penny levy is a sub-division of the ounce levy, we are dealing either with ounces of three different values, or with pennies of three different values.

Suppose the ounce to be of constant value, then we are calling its 18th, 20th and 24th parts by the same name; but there is no known ounce which was sub-divided in all these three ways. Suppose, on the other hand, the penny to be of constant value, say the old English penny of 22.5 grains, then we have ounces of three different values. What are they?

What, in the first place, is the ounce which was sub-divided into 18 English pennies? Thomas suggested the Norse ounce of 412.58 grains since $22.5 \times 18 = 405$, only a trifle less than the full ounce. Now this assumes not only familiarity with English coinage but also knowledge of the respective values of the Norse and English ounces; and if we say that the penny levy was imposed as a sub-division of the Norse ounce, this implies that the assessor was using simultaneously two different ounces, the English being brought into play because the Norse one had never in fact been so subdivided. It assumes further a steady supply of English pennies from the individual tenants. But surely their rents would have been paid in kind (cattle or other farm produce), a suitable portion of the total being earmarked to meet the ounce levy. There would have been no place in the economic or fiscal system for English pennies. Of course the ounceland *did* consist of 18 pennylands, but the ounce and penny levies must have been completely unrelated.

When we turn to the *tirunga* of 24 pennylands it may seem relevant that there was indeed a penny, the Irish screpall, *denarius Gallicus*, which was a twentifourth of an ounce. It was the Roman *scripulum* of 24 wheatgrains with 24 to the ounce. But the

English penny of 22.5 grains Troy was equal to 32 wheat grains of the Roman ounce. Consequently 24 English pennies would have amounted to 768, as against the 576 of the Roman ounce. So far as I am aware there has never been an ounce of 768 wheat-grains. So *either* the 24 pennylands of Uist and Tiree are unrelated to any known ounce, *or* the penny in these areas was not the English penny but the *denarius Gallicus*. It is highly improbable that this monetary system obtained in a very restricted area so strongly affected by Norse influence.

Finally, we come to the *tirunga* of 20 pennylands. Here the penny levy is precisely a twentieth of the English 450 grains ounce. There are three possibilities. First, the penny levy was simply a subdivision of the ounce; second, the ounceland was so called because a levy of 20 pennies amounted to an ounce for the 20-house group; third, the ounce and the penny levies were completely unrelated, imposed at different times and for different reasons.

This last possibility seems not only the most probable but also the only one for which there is any kind of evidence. It is the most probable because it can cover all three types of pennyland areas. The explanation will be that some authority, possibly a Norse king or Orkneyan earl, levied the ounce on each standard group in Orkney, the Hebrides and parts of the western mainland, irrespective of the number of holdings in the standard group; and that at some other time the penny was levied on each individual holding.

(ii) The Direct Levy

It is true that we have no evidence of the ounce levy, but there is clear evidence of the penny levy on individual holdings in the form of grants to the mediæval church. Thus, 'Before 1181 Harald earl of Catenes and Orkney granted to the see of Rome one penny yearly from each inhabited house within the earldom of Catenes' (*OPS* II, Pt II: 589). Presumably the grant had also been made for Orkney. At the other end of the kingdom, namely in Kintyre, sometime before the year 1200, Reginald son of Somerled, granted to the monastery of Paisley 'one penny in perpetuity from every house on his territories from which smoke issued' (*OPS* II, Pt I: 2). That the grant was to Paisley Abbey probably explains why there are no pennylands in Islay which, although in Reginald's territories, was closely associated with the Benedictine Abbey of Iona. In the Isle of Man there was apparently a grant called the 'smoke penny' payable to the bishop.

These grants are suggestive of the tax known as 'Peter's Pence' which was imposed by the pope on 'every hearth or house' in England at the beginning of the tenth century. It spread to other countries of Europe but does not appear to have been extended to Scotland. It must, however, have been well known to the great monastic orders which were becoming established in western Scotland from the twelfth century onward under the patronage of the family of Somerled. An essential difference

between Peter's Pence and the above-noted grants is that, while the former was an imposed papal levy, the latter were individually initiated gifts, only one of which was directed to Rome. No doubt the sons of Somerled and the kings of Man were gently reminded that true charity begins at home.

ACKNOWLEDGMENT

I am grateful to the Reader of this paper for a number of helpful comments, which have been included in the text and in the following Notes.

NOTES

1 I am indebted to the Reader for the information that there is evidence for ouncelands in Knapdale or Kintyre in an unpublished charter of *c.* 1262 by Dougall MacSween [*OPS* II Pt. 1: 29]. (Although this should not affect the substance of my argument, since I do not consider the ounce and penny levies to be related, it is likely to be of considerable significance for the social and political history of the area.)

2 I assumed that the 'male' was introduced to the Hebrides, not from Ireland or Lowland Scotland, but by the Norse colonists, since it appears to have been associated only with the areas in which the *tirunga* had 24 pennylands, the 'long score' commonly, though not exclusively, used by the Norse. The Reader, however, observes that the term 'male' (as a measure) occurs in a thoroughly vernacular context, in eleventh–thirteenth centuries, in the form 'mela' or 'male', throughout eastern Scotland between the Forth and the Moray Firth.

(For variant forms, history and meanings see the *Dictionary of the Older Scottish Tongue*, *s.v.*, and *mele*, n^2.)

REFERENCES

ADOMNAN
1961 *Adomnan's Life of Columba*, ed. and trans. A. O. and M. O. Anderson. Edinburgh.

ALI
1865–1901 *The Ancient Laws of Ireland*. 5 vols. (texts and trans.) and *Glossary*. Dublin and London.

B&S
1951 *The Viking Ships* by A. W. Brøgger and M. Shetelig. Oxford.

BANNERMAN
1974 *Senchus Fer n Alban* (text and trans.) in *Studies in the History of Dalriada* by J. Bannerman. Edinburgh.

BI
1894 *The Book of Islay* (historical documents, charters, rentals), ed. G. Gregory Smith. Edinburgh.

BINCHY
1941 *Crith Gablach*, ed. D. A. Binchy (Mediaeval and Modern Irish Series). Dublin.

CG
Crith Gablach (a tract on Irish social institutions) in *The Ancient Laws of Ireland* vol. IV. (See above, *ALI* 1865–1901.)

CRA
1847 Charter to Hector Maclean of the Island of Iona and other lands 1587–8, in *Collectania de Rebus Albanicis*. Iona Club, Edinburgh.

DINNEEN
1934 *Irish-English Dictionary* by P. S. Dineen. Dublin.

DUNVEGAN
1938–9 *The Book of Dunvegan* (documents, rentals), ed. R. C. MacLeod. 2 vols. Aberdeen.

DWELLY
1941 *Gaelic-English Dictionary* by Edward Dwelly. Glasgow.

ER
1878 *Exchequer Rolls of Scotland* I (1264–1359), eds. J. Stuart and G. Burnett. Edinburgh.

OPS
1851–5 *Origines Parochiales Scotiae*. Bannatyne Club, Edinburgh.

RMS
1882 *Registrum Magni Sigilli Regum Scotorum*, ed. J. M. Thomson, Edinburgh.
1892 1424–1513, p. 615. Charter to John Makkane 1505.
1609–20, pp. 417–20. Charter to John Campbell of Calder of the Island of Islay, 9 December 1614. (See above, *B.I.* 1894 pp. 487–90, for tabulated extract).

SAWYER, P. H.
1962 *The Age of the Vikings*. London.

SHR
1911 'Tiree Rental of 1662', ed. Niall D. Campbell. *Scottish Historical Review* 9: 344.

THOMAS, Capt. F. W. L.
1883–4 & 1885–6 'What is a Pennyland?'. *Proceedings of the Society of Antiquaries of Scotland* XVIII and XX, Edinburgh.

UB
Uraicecht Becc (a tract on Irish social institutions) in *The Ancient Laws of Ireland* vol. V (see above, *ALI* 1865–1901).

Timber Floating: An Early Record on the Tay, and The Use of Coracles or Currachs

WILLIAM LINNARD

[An article by Alexander Fenton, 'The Currach in Scotland, with Notes on the Floating of Timber', appeared in *Scottish Studies* 16 (1972), pp. 61–81. In the following paper some new Scottish evidence is presented and discussed, and some Welsh parallels provided. Edd.]

For centuries men have used the rivers of Scotland as a convenient means of moving timber from the more inaccessible regions to the points of sale, conversion or manufacture. Tree trunks were floated down, either as loose logs, or bound together in small rafts. An instance of the floating of timber on the Tay in 1503 was recorded by Anderson (1967: I. 224); he gives details also of floating operations in the Spey, Beauly, Tay and Dee in the eighteenth and nineteenth centuries (*op. cit.*: II. 101–9).

One of the earliest but quite detailed accounts of timber-floating in Scotland occurs in the form of an aside by a Scottish humanist in an extremely rare book on quite a different subject, and it has therefore been overlooked by forest historians and ethnologists. The author of the book, Florentius Volusenus (Florence Wilson) of Elgin, was born in Morayshire *c.* 1500 and died *c.* 1551 (the dates are uncertain). In 1528–9 (or 1534–5: this date too is uncertain), he published a Latin commentary on Cicero's *Somnium Scipionis* ('Dream of Scipio'), entitled *Scholia seu commentarium epitome in Scipionis Somnium,* which was printed by Robert Redman at London. Only one copy of this book is known to survive in Britain, and that is in the Bodleian Library, Oxford.

In his book, Wilson refers to the description of the deafening cataracts on the Nile, and then goes on:

> *Est et hujis generis in septentrionali Britannia (Scotiam vocant) flumen nomine (si memini) Taia ubi accolae excisas in sylva arbores in flumen vicinum (nam aliter propter commode in urbem invehi non possunt) illis accolae (sunt silvestre hominum genus) superimpositi et tanquam navi vecti per illa fluminis praecipitantia magno spectantium stupore delabuntur incolumes* (Wilson 1529 [?] sig. Di^{v}).

This passage may be translated as follows:

> There is, if my memory serves me well, a river of much this kind in Northern Britain (they call it Scotland), the Tay, where the local people throw the trees, which they have cut down

> in the forest, into the river nearby (for they would not be able to transport them to town very easily otherwise) and then placing themselves upon these trees (they are very much men of the forest) they are wont to ride as if they were on a boat over the rapids and, to the great amazement of the onlookers, sail downstream quite safely.

This account is interesting because of its graphic detail, showing that the loose floating of long logs or whole stems was already a common practice on the Tay by the early sixteenth century. As a young man Wilson had obviously seen and been impressed by the skill and daring of the Tayside timber-floaters, riding the logs in the manner of the white-water lumberjacks of North America in more recent times.

It is probable that Scottish rivers were used for moving timber in this way long before this first recorded description, as was certainly the case in Wales. Timber felled on the Welsh and English sides of the river Wye, for example, was floated downstream to Chepstow, where there was a 'Raft Street' as early as 1456 (Waters 1958: 93). The river Severn was the chief means of extracting wood from the forests of Montgomeryshire and Shropshire: in the thirteenth century fines were levied for any raft of firewood or timber that struck the piers of Montford bridge near Shrewsbury (Davies 1934, 1936).

The use of currachs (coracles) in floating operations on the Spey early in the eighteenth century when London-based companies were exploiting the pine forests of Scotland (described by Fenton, 1972) has an interesting contemporary parallel in Wales. When John Vaughan of the Golden Grove estate in Carmarthenshire sold a large amount of his wood to Richard Chitty, a timber merchant from Singleton (Sussex) in 1757, the timber was floated down the river Towy to the town of Carmarthen (Jones 1964). The floating of valuable hardwood timber was always attended by the risk of theft as well as the natural dangers of sinking and stranding; accordingly, Chitty prudently hired the local 'Corackle Men' to guide and accompany the floating timber. These Towy coracle men proved to be hard bargainers, asking an 'exorbitant price per Tonn'; but the logging and timber-floating operation was eventually carried out, over a period of several years.

The currach or coracle was not an ideal craft for timber-floating operations: on Scottish rivers its use was superseded by floating loose timber, or large independent rafts, without using currachs for escort or towing. The Welsh coracle too was not designed for timber floating, and the Golden Grove operation appears to be the only recorded instance of its use for that purpose on rivers in Wales.

ACKNOWLEDGEMENTS

I am indebted to Prof. D. Baker-Smith, University College, Cardiff, for drawing my attention to the account by Wilson, and providing a transcript from the copy in the Bodleian Library.

REFERENCES

ANDERSON, M. L.
1967 *A History of Scottish Forestry* vols. I and II. London and Edinburgh.

DAVIES, A. S.
1934, 1936 'The River Trade and Craft of Montgomeryshire and its Borders.' *Montgomeryshire Collections* 43: 33–46; 44: 46–56.

FENTON, A.
1972 'The Currach in Scotland, with Notes on the Floating of Timber.' *Scottish Studies* 16: 61–81.

JONES, F.
1964 'The Vaughans of Golden Grove.' *Transactions of the Honourable Society of Cymmrodorion* II: 210–12.

WATERS, I.
1958 *Chepstow Miscellany*. Chepstow.

WILSON, F. (FLORENTIUS VOLUSENUS)
1529(?) *Scholia seu commentarium epitome in Scipionis Somnium*. London. sig. Di^{v}. (For a detailed bibliographical description of the *Scholia* and a useful bibliography, see J. F. Kellas Johnstone, *Bibliographia Aberdonensis*, ch. I, pp. 32–3.)

Book Reviews

Along a Highland Road by I. F. Grant. Shepheard-Walwyn, London 1980. 198 pp. £6.95

This latest work from the tireless pen of Dr Isobel Grant marks a departure from much of her earlier historical writing. Here this distinguished scholar, at ninety-three years of age, is concerned, as she modestly puts it, 'to set down the fugitive recollections of old age'. The focus of her recollections and family traditions is Strathdearn in the north-east Highlands, and the road which links her story together is a stretch of General Wade's road, improved by later engineers, as it crosses the wide valley of the Findhorn. This is Macintosh country, the land of the author's maternal ancestors and her pride in the clan shows in the handsome book-jacket, which reproduces the glowing colours of a tartan woven in Strathdearn.

In the relative isolation of earlier times the strath developed its distinctive character. Dr Grant describes its features with the insight and expert knowledge of one whose roots are in the soil. The mingling of personal recollection, local and family tradition and the gleanings of wide reading gives the book much of its charm. There are vivid descriptions of weddings and funerals, seasonal customs and agricultural practices, and racy accounts of some of the native families and personalities. The text is admirably complemented by maps, photographs and other illustrations, including one of Dr Grant's own drawings (one wishes there were more of these).

Even in the distant past Strathdearn had its visitors. They served to link its communities with the wider world. Packmen and travelling folk brought news and useful articles and sometimes wove fresh strands into the poetry and stories of the strath. It is evident from local traditions which Dr Grant found surviving among the inhabitants that some of them are variants of widely known tales. Other visitors were not so welcome—Strathdearn was a natural route for west Highland reivers on their way to and from plundering the richer east.

Other influences helped to draw the strath out of its isolation. Cadets of the Macintosh clan gained a footing here as early as the thirteenth century and their presence embroiled the people of the strath in the conflicts of the greater clans. The changing fortunes of the Macintosh chiefs and principal families forms one of the main themes of this study, connecting the currents of local life with major events and movements in the Highlands. Through the history of particular families, including her own, Dr Grant illuminates such topics as the growth of the cattle trade in the seventeenth century, the impact of Jacobitism and the Risings, and the rapid progress

of Lowland and English influences in the aftermath of the 'Forty-five. The whole process of social change was speeded up by the arrival of Wade's road *c.* 1730 and was later reinforced by the development of faster means of communications—the stage-coach, the railway and the motor-car.

It is fortunate that Dr Grant was in time to gather such traditions as survived in the strath into her day. Even so, as she explains, they were only fragments of a lively culture that was fast disappearing. She heard Gaelic spoken there in her early days but the outstanding dancing and fiddling which had been the boast of the natives had gone. Emigration had helped to drain away the vitality of the strath, though Dr Grant points out that clearance played only a minor part. The gentry were in general aware of their social responsibilities even though they were often in financial straits themselves. Many of the old lairds had to sell up, leaving the strath to new owners, to sheep-farmers and, later, to grouse-shooting tenants.

Some of the most interesting material in the book is to be found in the chapter in which the author traces the development of the new sporting industry and recalls the life-style of the gentry and the shooting tenants. One could have wished, indeed, that more of the book had been devoted to her reminiscences. The prose style, always direct and lucid, achieves periods of quite outstanding quality. One would search far to equal her simple but dramatic description of a shoot on page 98.

Dr Grant has been concerned with the history of the Highlands for over sixty years. Her published works have contributed to the creation of a new kind of Highland history, social and economic in its approach and occupied with the daily life and work of the inhabitants rather than the exploits of romantic figures. Her writings have been only one part of her life activities; before folk-culture became recognised as a topic for serious study in Scotland this remarkable woman brought into being, unaided, the museum of Highland folk-life at Kingussie. These achievements have been inspired by a deep attachment to her ancestral 'duthchas', and it is fitting that in her latest book Dr Grant should return to this source and remind us again that much of the real story of Scotland is to be found in the study of family, community and region.

E. R. CREGEEN

Alexander Lindsay, A Rutter of the Scottish Seas, an abridged version of a manuscript by the late Dr A. B. Taylor, former Registrar-General for Scotland, edited by I. H. Adams and George Fortune. Maritime Monographs and Reports no. 44, 1980. National Maritime Museum, Greenwich, London 1981. 64 pp. [No price stated.]

This monograph is an abridged version of a manuscript intended for publication by the late Dr A. B. Taylor, whose work on place-names and early Scottish maps will be

well known to established readers of this journal.* As Taylor's colleague and collaborator, George Fortune has been instrumental in preparing the manuscript with the help of Dr Ian Adams of the Geography Department of Edinburgh University, himself well-known for his work on Scottish Estate plans and early Scottish maps. A *rutter* was a sixteenth-century name for a set of sailing directions used by a pilot in coastal navigation. The word originates in the French *routier,* a derivative of *route*. This is the earliest known rutter for Scottish waters, and dates from *c.*1540, the work of a distinguished Scottish pilot of his day, Alexander Lindsay. This particular version of Lindsay's rutter was discovered by Taylor hidden among a number of blank sheets at the end of a volume of manuscripts in the Balfour Collection in the National Library of Scotland. There are six known versions of the Scottish rutter—three in Scots English, and three in French. The monograph gives a brief account of Lindsay's rutter and the six extant texts, a note on its authorship, and the part played by the French geographer Nicolas de Nicolay (1517–83) who published the rutter in 1583. Also included is a note on James V's Expedition to the Western Isles in 1540, where Lindsay's rutter was probably, in the opinion of the editors, put to one of its first operational tests.

To the scholar of place-names, the rutter is of much interest, since it contains nearly 200 items of information and advice about tidal streams, times of high water, havens, soundings and the like. The directions are most detailed for the East Coast, as one might expect in a sixteenth-century document: for example: 'Iff ye will enter to Tayne of Dornoch tak heid of a sand bed whiche lyethe on the north syd of the Fyrth west from Tarbetnes and est from Dornoch iij milis.' However, the dangerous Pentland Firth, with its 'contrary tydes' is well covered with entries like '. . . there is a great daunger causit be nepe tydis whiche is called the Boir. To avoid the daunger ye sall mak your cours from Dungisbe northwest till you come north to est from Stroma.' Most of the place-names mentioned in the text are readily identifiable, but for many of the sea-rocks, reefs and danger-points, they provide useful early spelling forms.

Lindsay's Rutter gives relatively few soundings, compared with its contemporaries. However, they are given for the more important anchorages, like Leith, St Andrews, Strome Castle, Aros Castle in Mull, and various others, and the reader is informed that 'iff ye lye at the castell of Dewar (Duart) ye sall find xxviij fadomes'.

The monograph is attractively presented, and contains six maps identifying the places mentioned in the texts, not only around the Scottish coasts, but a section from the Humber estuary to the Scottish border. One of the most fascinating sections is devoted to the charts which accompanied three of the six extant rutter texts. In addition, the monograph illustrates the kind of ships which were used in Scottish waters in the sixteenth century, together with a brief chapter on instruments for coastal navigation.

* 'The Name St. Kilda', *Scottish Studies* 13:147–58; and 'Cape Wrath and its Various Names', *Scottish Studies* 17:61–9.

Taken as a whole, this monograph is a very fitting tribute both to Lindsay and to Taylor. It would, however, be good to see in the future a more detailed study of Lindsay and his rutters, since this sixteenth-century Scot undoubtedly left his mark on the European navigation scene, and like many of his kind, his achievements have, until the advent of this publication at least, been largely unsung.

IAN A. FRASER

A Bibliography of Bagpipe Music by Roderick D. Cannon. John Donald, Edinburgh 1980. 295 pp. £15.00

The literature of the bagpipe, especially that relating to Scottish bagpipes, is sadly lacking in reliable scholarship. This volume is an exception, a most welcome addition to the subject and an invaluable research tool for scholars and pipers alike. Described in the preface as a descriptive bibliography relating to the music of each type of bagpipe played in the British Isles, it discusses altogether some 113 items, including 99 Scottish titles—some of them multi-volume compendia like the collections of pibrochs published by the *Piobaireachd Society* and the many editions of Logan's *Tutor* or David Glen's *Collection of Highland Bagpipe Music.*

The main part (205 pages) of the book discusses in turn printed music for the Irish Union pipes, the Northumbrian pipes, the Scottish Highland pipes and the Irish warpipes or Brien Boru pipes. Each section is arranged chronologically and for each edition of a book we are given its title, imprint, other publication data, pagination and contents, location and description of individual copies consulted, and, finally, an informative discussion. For what constitutes a new 'edition' of a book Dr Cannon sensibly uses as his yardstick any printing which he can distinguish from its predecessors. As he points out, even if an edition shows no distinguishable change in its contents, a change of publisher or evidence of frequent reprints all help, among other things, in gauging the popularity of a book and its probable influence on a piping tradition. Such details are of great value to anyone attempting to assess the impact of printed collections and tutors on what was, until well into the nineteenth century, essentially an orally transmitted art. Of the four review essays that precede the four bibliographies, that on printed Scottish music is predictably the longest, though the first major Scottish collection of pipe music—that of Donald MacDonald (1812)—appeared over sixty years after Geoghegan's *Compleat Tutor* for the Irish Union pipes. The essay combines the insights of a scholar who devoted nearly twenty years of his leisure time to the work and those of a piper who has played over most of the material in his attempts to assess the developments in composing and playing styles and the differing notation conventions of the authors. He sorts out clearly and

thoroughly the many contributions of the two families of Glen in Edinburgh, whose publishing activities began about 1840 and whose material was still on sale in 1961. A wealth of other well-documented information is included in this essay. Perhaps not unwittingly he also points to further directions for research when referring to, but not endorsing, the as yet untested opinions of writers like Archibald Campbell of Kilberry (in his preface to *The Kilberry Book of Ceol Mor*) on the status of Angus MacKay's *Collection of Ancient Piobaireachd.* In another instance he quotes an anonymous contributor to *The Piping Times* (Feb. 1969) who suggested that Colin Cameron, piper to the Earl of Fife—and son of Donald Cameron the 'supreme authority' on *piobaireachd* 'after the death of his teacher Angus MacKay'—assisted David Glen in preparing his *Collection of Ancient Piobaireachd* (1880). If this was true one wonders why Glen's book did not follow the notation conventions of Angus MacKay, particularly in the way of notating those formulae called 'double beats'. Did Cameron or Glen or both feel that MacKay's conventions were misleading to pipers at a time when oral transmission was being progressively weakened (as pipers relied more and more on learning their music from the printed page)? Whatever may be the answer it was MacKay's style of writing that won the day, and it forms the basis for most of the influential publication of this century including that of the Piobaireachd Society.

Clearly there is room for further research here and Dr Cannon's bibliography provides a handy and thoroughly reliable starting point. His is not the first bibliography: he properly acknowledges the contribution of W. L. Manson (in his book *The Highland Bagpipe, its History, Literature and Music*, Edinburgh 1901) and of G. H. Askew (*A Bibliography of the Bagpipe*, Newcastle-upon-Tyne 1932) but for comprehensiveness and wealth of detail this newest work is unmatched. It is a model for others who may be tempted to venture into the morass of myth and legend and of the often fanciful writing that surrounds the piping tradition of Scotland.

PETER COOKE

Books Received

The Leighton Library, Dunblane. Catalogue of Manuscripts by Gordon Willis. University of Stirling Bibliographical Society, 1981. 42 pp. £3.00.

The Scottish Poor Law 1745–1845 by R. A. Cage. Scottish Academic Press, Edinburgh 1981. 180 pp. £8.75.

Twentieth-Century Publications in Scottish Gaelic by Donald John MacLeod. Scottish Academic Press, Edinburgh 1980. 188 pp. £12.50.

Scott on Himself by David Hewitt. Scottish Academic Press, Edinburgh 1981. 298 pp. £6.75.

Islay: Biography of an Island by Margaret C. Storrie. The Oa Press, Port Ellen, Isle of Islay 1981. Illustrated with photographs, drawings and diagrams. 260 pp. [No price stated.]

Neil M. Gunn. A Highland Life by F. R. Hart and J. B. Pick. John Murray, London 1981. Illustrated with photographs. 314 pp. £15.

The Rural Architecture of Scotland by Alexander Fenton and Bruce Walker. John Donald, Edinburgh 1981. Illustrated with 195 photographs, drawings and diagrams. 242 pp. [No price stated.]

Muir of Huntershill. A Scottish Patriot's Adventures Around the World by Christina Bewley. Oxford University Press 1981. Illustrated with photographic plates. 212 pp. £8.50.

A Place in Trust by Basil Skinner. (To mark the 50th Anniversary of The National Trust for Scotland.) Department of Extra-Mural Studies, University of Edinburgh 1981. 48 pp. [No price stated.]

Grampian Hairst. An Anthology of North-East Prose, edited by William Donaldson and Douglas Young; with a foreword by Cuthbert Graham and an essay on North-East Scots by David Murison. Aberdeen University Press 1981. xiv + 206 pp. £4.50 (£7 board).

Journal of an Expedition against the Rebels of Georgia in North America Under the Orders of Archibald Campbell Esquire. Lieut. Col. of His Majesty's 71st Regimt. 1778, edited and with an introduction by Colin Campbell. Richmond County Historical Society, Augusta, Georgia 1981. xvi + 139 pp. [No price stated.]

Scots Saws: from the Folk-wisdom of Scotland by David Murison. James Thin, The Mercat Press, Edinburgh 1981. 92 pp. £3.95.

Index

Volume 25, 1981
(Titles of contributions appear in bold type, and names of contributors in small capitals)